

Punjab Juvenile Justice (Care and Protection of Children) Rules, 2014

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Rule

PUNJAB-JUVENILE-JUSTICE-CARE-AND-PROTECTION-OF-CHILDREN of 2014

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Punjab Juvenile Justice (Care and Protection of Children) Rules, 2014Published vide Notifications No. No.G.S.R.7/C.A.56/2000/S.68/2014, dated 6th January, 2014Government of PunjabDepartment of Women and Child Development(Social Security Branch)No.G.S.R.7/C.A.56/2000/S.68/2014. - In exercise of the powers conferred by section 68 of the Juvenile Justice (Care and Protection of Children) Act, 2000 (Central Act No. 56 of 2000), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules, namely:-Chapter - I Preliminary

1. Short title and commencement.

(1)These rules may be called the Punjab Juvenile Justice (Care and Protection of Children) Rules, 2014.(2)They shall come into force on and with effect from the date of their publication in the Official Gazette.

2. Definition.

- In these rules, unless the context otherwise requires,-(a)"abandoned" means an unaccompanied and deserted child who is declared as abandoned by the Committee after due inquiry;(b)"Act" means the Juvenile Justice (Care and Protection of Children) Act, 2000;(c)"best interest of the juvenile or child" means a decision taken in the interest of the juvenile or child to ensure the physical, emotional, intellectual, social and moral development of the juvenile or child;(d)"child friendly" means any process, interpretation, attitude, environment and treatment, which is humane,

considerate and in the best interest of the child;(e)"Children Committee" means a Committee, constituted under rule 52;(f)"community service" means a service rendered to the society by juveniles in conflict with law in lieu of other judicial remedies and penalties, which is not degrading and dehumanizing, which may include ,-(i)cleaning a park;(ii)getting involved with Habitat for Humanity;(iii)serving the elderly in nursing homes;(iv)helping out at a local fire or police department;(v)helping out at a local hospital or nursing home; and(vi)serving disabled children;(g)"detention in case of juveniles in conflict with law" means protective custody in line with the principles of restorative justice;(h)"Form" means a Form append to these rules;(i)"individual care plan" means a comprehensive development plan for a juvenile or child, based on age specific and gender specific needs and the case history of the juvenile or child, prepared in consultation with the juvenile or child, in order to restore the juvenile s or child s self-esteem, dignity and self-worth and nurture him into a responsible citizen, and accordingly the plan shall address the following needs of a juvenile or a child, namely:-(i)health needs;(ii)emotional and psychological needs;(iii)educational and training needs;(iv)leisure, creativity and play;(v)attachments and relationships;(vi)protection from all kinds of abuse, neglect and maltreatment;(vii)social mainstreaming; and(viii)follow-up post release and restoration;(j)"institution" means an observation home, or a special home, or a children's home or a shelter home established and maintained and recognized under sections 8, 9, 34 and 37, respectively;(k)"Management Committee" means a Committee referred to in rule 51;(l)"Officer-in-charge" means a person appointed for the control and management of an institution;(m)"orphan" means a child, who is without parents or willing and capable legal or natural guardian;(n)"place of safety" means an institution referred to in sub-section (3) of section 12 and in the proviso to sub-section (1) of section 16 for juveniles in conflict with law or children;(o)"recognised" means an institution or a person, found fit by the competent authority as per provisions of clauses (h) and (i), respectively of section (2), or recognition of an institution or agency or voluntary organisations by the State Government to operate as a children s home, observation home and special home; or a shelter home, specialised adoption agency or aftercare organization as per the provisions of sub-section (1) of section 37, sub-section (4) of section 41 and clause (a) of section 44 ;(p)"registered" means all institutions, whether State Government run, or those run by voluntary organizations for children in need of Care and protection, and which have been registered as per the provisions of sub-section (3) of section 34;(q)"Schedule" means the Schedule, appended to these rules;(r)"section" means the section of the Act;(s)"State Government" means the Government of the State of Punjab in the Department of Women and Child Development ;(t)"street and working children" means the children without ostensible means of livelihood, care, protection and support ;(u)"surrendered child" means a child, who in the opinion of the Committee, is relinquished on account of physical, emotional or social factors beyond the control of the parent or guardian; and(v) `Specialized Adoption Agency' means any Indian social or child welfare agency recognized by the State Government or Central Adoption Resource Authority for placement of children in in-country or inter- country adoption.(2)The words and expressions used, in the rules, but not defined therein, and defined in the Act, shall have the same meaning as assigned to them in the Act.

Chapter - II Juvenile in Conflict with Law

3. Term of the Board.

(1)The term of the Board or Boards, as the case may be, constituted under sub section (1) section 4, shall be three years. The appointment of members of the Board shall be coterminus with the term of the Board with a view to ensure the continuity of the Board or Boards, the State Government shall initiate the process of constituting the new Board or Boards before the expiry a period of four months of the existing Board or Boards, as the case may be.(2)A social worker who has been appointed as a member of the Board shall be eligible for reappointment for a maximum period of two consecutive terms;Provided that a member shall be re-appointed on the basis of his performance appraisal made by the District Child Protection Unit of the State Government and on the recommendation of a Selection Committee, constituted for the purpose.(3)A member may resign at any time, by giving one month's notice in writing.(4)Any vacancy occurred in the Board may be filled up from the panel of the names prepared by the Selection Committee, for the remaining term of the Board.

4. Qualifications of members of the Board.

(1)The social worker to be appointed as a member of the Board, shall be not less than thirty five years of age, possessing post-graduate degree in social work, health, education, psychology, child development or any other social science discipline and should have been actively involved and engaged in planning, implementing and administering measures relating to child welfare for a minimum period of seven years:Provided that if a social worker possessing the aforesaid qualifications is not available, a social worker, who is not less than thirty- five years of age, possessing a graduate degree in any of the social science disciplines, who is actively involved and engaged in planning, implementing and administering measures relating to the child welfare for a minimum period of seven years, may be considered for appointment.

5. Disqualifications of the members of the Board.

(1)No person, shall be considered for selection as a member of the Board, if he,-(a)has been convicted by a court under any law;(b)has ever indulged in child abuse or employment of child labour or any other human rights violations or immoral act;(c)is holding such other occupation due to which, he is unable to give requisite time and attention to the work of the Board; or(d)does not fulfil the qualification and experience specified in the Act and in these rules and in such case, the Selection Committee, shall, after due inquiry and on establishment of such fact, reject his application .

6. Sitting and conveyance allowances.

- The social worker, appointed as a member of the Board, shall be paid such travel and sitting allowance, as the State Government may determine from time to time.

7. Sittings of the Board.

(1)The Board shall hold its sittings in the premises of an observation home or, at a place in proximity to the observation home or, at suitable premises in any institution being run under the Act, and in no circumstances the Board shall operate from any court premises.(2)The premises, where the Board holds its sittings, shall be childfriendly and shall not look like a court room in any manner whatsoever, for example, the Board shall not sit on a raised platform and the sitting arrangement shall be uniform, and there shall be no witness boxes.(3)The Board shall meet on all working days of a week, unless the case pendency is less in a particular district and concerned authority issues an order in this regard.(4)A minimum of three-fourth attendance of the Chairperson and Members of the Board is necessary in a year.(5)Every Member of the Board shall attend a minimum of five hours per sitting.

8. Duties of the Board.

(1)The Board, shall perform the following functions to achieve the objectives of the Act, namely:-(a)adjudicate and dispose the cases of juveniles in conflict with law;(b)take cognizance of crimes committed under sections 23, 24, 25, 26 and 28;(c)monitoring institutions for juveniles in conflict with law and seeking compliance from them in cases of any noticeable lapses and improvement based on suggestions of the Board;(d)deal with non-compliance on the part of concerned Government functionaries or functionaries of voluntary organizations, as the case may be, in accordance with due process of law;(e)pass necessary direction to the district authority and police to create or provide necessary infrastructure or facilities so that minimum standards of justice and treatment are maintained in the spirit of the Act;(f)maintain liaison with the Committee in respect of cases needing care and protection;(g)liaison with Boards in other districts to facilitate speedy inquiry and disposal of cases through due process of law;(h)take suitable action for dealing with unforeseen situations that may arise in the implementation of the Act and remove such difficulties in the best interest of the juveniles;(i)send quarterly information, about the juveniles in conflict with law produced before it to the District, the State Child Protection Unit, the State Government and also to the Chief Judicial Magistrate, or Chief Metropolitan Magistrate, as the case may be ; for review as envisaged under sub-section (2) of section 14 ; and(j)do any other duty imposed by the State Government from time to time relating with juveniles in conflict with law.

9. Pre and post-production action of police and other agencies.

(1)As soon as a juvenile alleged to be in conflict with law, is apprehended by the police, the concerned police officer shall inform;-(a)the designated Juvenile or the Child Welfare Officer in the nearest police station to take charge of the matter;(b)the parents or guardian of such juvenile about the apprehension of the juvenile, the address of the Board, where the juvenile will be produced and the date and time when the parents or guardian need to be present before the Board; and(c)the concerned probation officer of such apprehension to enable him to obtain information regarding social background of the said juvenile and other material circumstances likely to be of assistance to the Board for conducting the inquiry.(2)Soon after the apprehension, the said juvenile shall be placed under the charge of the designated Juvenile or the Child Welfare Officer from the nearest

police station, who shall produce the juvenile before the Board immediately, and where such designated Juvenile or the Child Welfare Officer, has not been designated as per the provisions of sub-section (2) of section 63 or when such officer is not available for any reason, the police officer, who had apprehended the juvenile, shall produce him before the Board.(3)The police apprehending a juvenile in conflict with law, shall, in no case, send such juvenile in lock-up or delay his charge in transferring to the designated Juvenile or the Child Welfare Officer from the nearest police station, if such an officer has been designated.(4)A list of all designated Juvenile or the Child Welfare Officers in a District and the members of Special Juvenile Police Unit with contact details, shall be prominently displayed in every police station.(5)For gathering the best available information it shall be incumbent upon the Police or the designated Juvenile or the Child Welfare Officer from the nearest police station to contact the parents or guardians of the juvenile in conflict with law and also apprise them of the juvenile's law breaking behavior.(6)The police or the designated Juvenile or the Child Welfare Officer from the nearest police station, as the case may be, shall also record the social background of the juvenile in conflict with law and circumstances of apprehension and offence alleged to have been committed in the case diary of each juvenile, which shall be forwarded to the Board forthwith.(7)The police or the designated Juvenile or the Child Welfare Officer, from the nearest police station, as the case may be, shall exercise the power of apprehending the juvenile in conflict with law only in cases of his alleged involvement in serious offences (entailing a punishment of more than seven years imprisonment for adults).(8)In such cases where apprehension apparently seems to be in the interest of such juvenile, the police or the designated Juvenile or the Child Welfare Officer from the nearest police station, as the case may be, shall rather treat the juvenile as a child in need of care and protection and produce him before the Board, clearly explaining the juvenile's need of care and protection in its report and seek appropriate orders from the Board .(9)For all other cases involving offences of non-serious nature (entailing a punishment of less than seven years imprisonment for adults) and cases where apprehension is not necessary in the interest of the juvenile, the police or the designated Juvenile or the Child Welfare Officer from the nearest police station, as the case may be, shall intimate the parents or guardian of the juvenile in conflict with law about forwarding the information regarding nature of offence alleged to be committed by their such juvenile along with his socio-economic background to the Board, which shall have the power to call such juvenile for subsequent hearings.(10)In dealing with cases of juveniles in conflict with law, the Police or the designated Juvenile or the Child Welfare Officer from the nearest police station, shall not be required to register an First Information Report or file a charge-sheet, except where the offence alleged to have been committed by the juvenile in conflict with law is of a serious nature, such as rape, murder or when such offence is, alleged to have been committed jointly with adults, instead of the matters involving simple offences, the Police or the designated Juvenile or the Child Welfare Officer from the nearest police station, as the case may be, shall record information regarding the offence alleged to have been committed by such juvenile in the general daily diary followed by a report containing social background of the juvenile and circumstances of apprehension and the alleged offence and forward it to the Board before the first hearing of the case.(11)The State Government shall recognize only such voluntary organizations as are in a position to provide the services of probation, counselling, case work, a safe place and also associate with the Police or the designated Juvenile or the Child Welfare Officer from the Special Juvenile Police Unit, and have the capacity, facilities and expertise to do so as protection agencies that may assist the Police or the designated Juvenile or the Child Welfare Officer from the police at the time of

apprehension, in preparation of the report containing social background of such juvenile and circumstances of apprehension and the alleged offence and in taking charge of such juvenile until his production before the Board within twentyfour hours.(12)The Police or the designated Juvenile or the Child Welfare Officer from the Special Juvenile Police Unit, or the recognized voluntary organization shall be responsible for the safety of the juveniles and ensure the provision of food and basic amenities to such juveniles, apprehended or kept under their charge during the period, such juveniles are with them.(13)When a juvenile in conflict with law is produced before an individual Member of the Board, and an order is obtained, such order shall need ratification by the Board in its next meeting.

10. Procedure to be followed in determination of age.

(1)In every case concerning a child or a juvenile in conflict with law, the court or the Board as the case may be, the Child Welfare Committee referred to in section 29, shall determine the age of such juvenile or child or a juvenile in conflict with law within a period of thirty days from the date of making of the application for that purpose.(2)The court or the Board or the Committee, as the case may be, shall decide the juvenility or otherwise of the juvenile or the child or the juvenile in conflict with law, prima facie on the basis of physical appearance or documents, if available, and send him to the observation home or in jail.(3)In every case concerning a child or juvenile in conflict with law, the age determination inquiry, shall be conducted by the court or the Board or, the Committee, as the case may be, by seeking evidence by obtaining (a)(i)the matriculation or equivalent certificate, if available and in the absence whereof; or(ii)the date of birth certificate from the school (other than a play school) first attended and in the absence whereof; or(iii)the birth certificate given by a corporation or a municipal authority or a panchayat.(b)In the absence of the documents mentioned in sub-clause (i), (ii) or (iii) of clause (a), the medical opinion will be sought from a duly constituted Medical Board, which will declare the age of the juvenile or child. In case, the exact assessment of the age cannot be done, the Court or the Board or the Committee, as the case may be, for the reasons to be recorded in writing by them, may, if considered necessary, give benefit to the child or juvenile by considering his age on lower side within the margin of one year, and, while passing orders in such a case, shall, after taking into consideration such evidence, as may be available, or the medical opinion, as the case may be, record a finding in respect of his age and either of the evidence as specified in any of the sub-clauses (i), (ii) and (iii) of clause (a) or in the absence whereof, clause (b), shall be the conclusive proof of the age as regards such child or juvenile or the juvenile in conflict with law.Explanation. - For the purpose of this clause, 'Medical Board' means a Medical Board constituted by Juvenile Justice Board.(4)If the age of a juvenile or child or the juvenile in conflict with law is found to be below 18 years on the date of commission of the offence, on the basis of any of the conclusive proof specified in sub-rule (3), the court or the Board or the Committee, as the case may be, shall, in writing, pass an order stating the age and declaring the status of juvenility or otherwise, for the purpose of the Act and these rules, and a copy of the order shall be given to such juvenile or the person concerned.(5)Save and except where, further inquiry or otherwise is required, inter alia, in terms of section 7A and section 64 and these rules, no further inquiry shall be conducted by the court or the Board after examining and obtaining the certificate or any other documentary proof referred to in sub-rule (3) .(6)The provisions contained in this rule shall also apply to those disposed of cases, where the status of juvenility has not been determined in

accordance with the provisions contained in sub- rule(3) and the Act, requiring dispensation of the sentence under the Act, for passing appropriate order in the interest of the juvenile in conflict with law.

11. Post-production processes by the Board.

(1)On production of the juvenile in conflict with law before the Board, the report containing social background of such juvenile and circumstances of apprehension and offence alleged to have been committed provided by the officers, individuals, agencies producing the juvenile, shall be reviewed by the Board, and the Board, shall pass the following order in the first summary inquiry on the same day, namely:-(a)dispose of the case, if the evidence of juvenile in conflict with law appears to be unfounded or where such juvenile is involved in trivial law breaking;(b)transfer to the Committee, matters concerning juveniles clearly stated to be in need of care and protection in the police report submitted to the Board at the time of production of the juvenile;(c)release the juvenile in the supervision or custody of fit persons or fit institutions or probation officers, as the case may be by passing an order in Form-I, with a direction to appear or present a juvenile for an inquiry on the next date;(d)detain the juvenile in conflict with law in an Observation Home or fit institution pending inquiry, only in cases of such juvenile s involvement in serious offences as per an order passed in Form-II; and(e)in all cases of release pending inquiry, the Board shall notify the next date of hearing, not later than 15 days of the first summary enquiry and also seek social investigation report from the concerned Probation Officer through an order passed in Form-III;(2)The Board shall take the following steps to ensure fair and speedy inquiry, namely:-(a)at the time of initiating the inquiry, the Board shall satisfy itself that the juvenile in conflict with law has not been subjected to any ill-treatment by the police or by any other person, including a lawyer or probation officer and take corrective steps in case of such ill-treatment;(b)in all cases, the proceedings shall be conducted in a simple manner as far as possible, and care shall be taken to ensure that such juvenile, against whom the proceedings have been instituted, is given child-friendly atmosphere during the proceedings;(c)every such juvenile brought before the Board, shall be given the opportunity to be heard and participate in his inquiry;(d)cases of petty offences, if not disposed of by the Special Juvenile Police Unit or at the police station itself, as the case may be, may be disposed of by the Board through summary proceedings or inquiry, while in cases of heinous offences entailing punishment of seven years or more, due process of inquiry in detail may follow; and(e)even in cases of inquiry pertaining to serious offences, the Board shall follow the procedure of trial in summons cases.(3)When witnesses are produced for examination in inquiry relating to a juvenile in conflict with law, the Board shall keep in mind that the inquiry is not to be conducted in the spirit of strict adversarial proceedings and it shall use the powers conferred by section 165 of the Indian Evidence Act, 1872 (Central Act No.1 of 1872) so as to question the juvenile and proceed with the presumptions that favour the juvenile s right to be restored.(4)While examining a juvenile in conflict with law and recording his statement, the Board shall address the juvenile in a child-friendly manner in order to put such juvenile at ease and to encourage him to state the facts and circumstances without any fear, not only in respect of the offence of which the juvenile is accused, but also in respect of the home and social surroundings and the influence to which the juvenile might have been subjected.(5)The Board may take into account the report of the police containing circumstances of apprehension and offence alleged to have been committed and the social

investigation report in Form-IV prepared by the Probation officer or the voluntary organization on the orders of the Board as per Form-III, along with the evidence produced by the parties for arriving at a conclusion about the juvenile in conflict with law.(6)Every inquiry by the Board shall be completed within a period of four months after the first summary inquiry and only in exceptional cases involving trans-national criminality, large number of accused and inordinate delay in production of witnesses, the period of inquiry may be extended by two months on recording of reasons by the Board.(7)In all other cases, except where the nature of alleged offence is serious, delay beyond four to six months shall lead to the termination of the proceedings.(8)Where the proceedings are delayed beyond six months on account of serious nature of the offence alleged to have been committed by the juvenile in conflict with law the Board shall send a periodic report of the case to the Chief Judicial Magistrate or Chief Metropolitan Magistrate stating the reason for delay as well as steps being taken to expedite the matter.

12. Legal Aid.

(1)The proceedings before the Board, shall be conducted in non adversarial environment, but with due regard to all the due process guarantees such as right to counsel and free legal aid.(2)The Board shall ensure that the Legal Officer in the District Child Protection Unit and the State Legal Aid Services Authority, shall extend free legal services to all the juvenile in conflict with law.(3)The Legal Officer in the District Child Protection Unit and the State Legal Aid Services Authority, shall be under an obligation to provide legal services sought by the Board.(4)In the event of shortfall in the State Legal Aid Services support, the Board, shall be responsible for seeking legal services from recognized voluntary legal services organisations or the university legal services clinics.(5)The Board may also deploy the services of the student legal services volunteers and non Governmental organisation volunteers in paralegal tasks such as contacting the parents of the juveniles in conflict with law and gathering relevant social and rehabilitative information about the juveniles.

13. Completion of inquiry and dispositional alternatives.

(1)The Board shall complete every inquiry within the stipulated period of four months and on recording a finding about juvenile s in conflict with law involvement in the alleged offence, pass one of the seven dispositional orders enumerated in section 15.(2)Before passing an order, the Board shall obtain a social investigation report prepared by the probation officer or by a recognized voluntary organization ordered to do so by the Board, and take the findings of the report into account.(3)All dispositional orders passed by the Board shall necessarily include an individual care plan, for the concerned juvenile in conflict with law, prepared by a probation officer or voluntary organization on the basis of interaction with such juvenile and his family where possible.(4)Where the Board decides to release the juvenile in conflict with law after advice and admonition or after participation in group counselling or orders him to perform community service, necessary direction may also be made by the Board to the District or State Child Protection Unit or the State Government for arranging such individual counselling, group counselling and community service.(5)Where the Board decides to release the juvenile in conflict with law on probation and place him under the care of the parent or a guardian or a fit person, the person in whose custody such juvenile is released may be required to submit a written undertaking in Form-V for the good

behavior and well-being of such juvenile for a maximum period of three years.(6)The Board may by order release of a juvenile in conflict with law on execution of a personal bond without surety in Form VI.(7)In the event of placement of a juvenile in conflict with law in care of a fit institution or special home, the Board shall keep in mind that the fit institution or special home is located nearest to the place of residence of the juvenile's parent or guardian.(8)The Board, where it releases a juvenile in conflict with law on probation and places him under the care of the parent or a guardian or a fit person or where the juvenile is released on probation and placed under the care of fit institution, may order that the juvenile be placed under the supervision of a probation officer. The period of supervision shall be a maximum of three years.(9)Where the Board decides that a juvenile in conflict with law ought to be treated as a child in need of care and protection, it shall make necessary orders for production of such juvenile before the nearest Committee for suitable care, protection and rehabilitation.(10)Where it appears to the Board that the juvenile in conflict with law has not complied with probation conditions, it may order that the juvenile be sent for detention in a special home.(11)Where a juvenile in conflict with law who has attained the age of sixteen years and the offence committed by him is of such a serious nature as in the satisfaction of the Board, it is neither in the interest of the juvenile himself nor in the interest of other juveniles of the special home, the Board may order the juvenile to be kept in a place of safety and in a manner considered most appropriate by it.(12)The State Government shall make arrangement for complying with the detention of special category of juveniles in conflict with law in place of safety other than the special home.

14. Institutions for juveniles in conflict with law.

(1)The State Government itself or the voluntary organisation recognized by the State Government, shall set up separate observation homes or special homes for juveniles.(2)The observation homes or special homes under sub-rule (1), shall provide separate residential facilities for juveniles in separate age groups i.e. seven to twelve years, thirteen years to fifteen years and sixteen years and above.(3)Every institution shall keep a copy of the Act, the rules made by the Central Government and the State Government for use by the staff, juveniles and children residing therein.(4)All facilities and services for juveniles in conflict with law, shall be made available and maintained as per the provisions of the Act and these rules.

15. Release.

(1)The Officer-in-charge, shall maintain a roster of the cases of juveniles in conflict with law which will be released on the expiry of the period of stay as ordered by the Board.(2)Each case shall be placed before the Management Committee or the concerned probation officer or child welfare officer or case worker for ensuring proper release and social mainstreaming of the juvenile post-release.(3)The release shall be as per the pre-release and post-release plan prepared under the individual care plan and reviewed from time to time by the Management Committee and in all cases of release, necessary action shall be initiated well before the time of release and shall include preparation for post-release follow-up.(4)The timely information of the release of a juvenile and of the exact date of release shall be given to the parent or guardian, and the parent or guardian shall be invited to come to the institution to take charge of the juvenile on that date.(5)If necessary, the

actual expenses of the parent's or guardian's journey both ways and of the juvenile's journey from the institution shall be paid to the parent or guardian by the Officer in- charge at the time of the release of the juvenile.(6)If the parent or guardian, as the case may be, fails to come and take charge of the juvenile on the appointed date, the juvenile shall be taken by the escort of the institution, and in the case of a girl, she shall be escorted by a female escort.(7)At the time of release or discharge, a juvenile shall be provided with a set of summer or winter clothing and essential toiletries, if the Officer-in-charge considers it necessary.(8)If the juvenile has no parent or guardian, he may be sent to an aftercare organization, or in the event of his employment, to the person, who has under-taken to employ the juvenile.(9)The Officer-in-charge of a girls' institution may, subject to the consent of the girl and the approval of the competent authority, help the girl with her social re-integration by way of sending a girl above the age of eighteen years to an after care programme or, helping her with some vocation or gainful employment or, helping her to settle into family life according to the procedure laid down by the competent authority from time to time.(10)The Officer-in-charge shall order the discharge in Form-VII of any juvenile whose detention period has come to an end and inform the competent authority within seven days of the action taken and if the date of release falls on a Sunday or a public holiday, the juvenile may be discharged on the preceding day with an entry to that effect being made in the register of discharge.(11)The Officer-in-charge shall in appropriate cases, order the payment of subsistence money, at such rates, as may be fixed from time to time, by the State or the District Child Protection Unit or the State Government, and the railway or road, or both fares, as the case may be.(12)In deserving cases, the Officer-in-charge may provide the juvenile with such small tools, as may be necessary, to start a work or business subject to such maximum cost, as may be fixed by the institution which shall also form part of the post-release plan.(13)Where a girl has no place to go after release and requests for stay in the institution after the period of her stay is over, the Officer-incharge may, subject to the approval of the competent authority, allow her stay till the time some other suitable arrangements are made.

16. Procedure to be followed in the event of violations of the Act.

(1)In the event of violation of the provisions of section 21 ,-(a)the Board shall take cognizance of such violation by print or electronic media and shall initiate necessary inquiry and pass appropriate orders in this behalf; and(b)where the National or the State Commission for Protection of Child Rights takes suo motu cognizance of violation of the provisions of section 21, it shall inform the District or the State Child Protection Unit and the State directing them to initiate necessary action through the Board.(2)In the event of an escape of a juvenile in conflict with law or a child, the following action shall be taken within twenty-four hours,-(a)the Officer-in-Charge of any institution shall immediately send a report to the area Police Station or Special Juvenile Police Unit along with the details and description of the juvenile or child, with identification marks and a photograph, with a copy to the Board, District Child Protection Unit and other concerned authorities ;(b)the Officers-in-charge of institutions other than the shelter homes or drop-in-centers shall send the guards or concerned staff in search of the juvenile, at places like railway stations, bus stands and other places where the juvenile is likely to go;(c)the parents or guardians shall be informed immediately about such escape; and(d)the Officer-in-charge of an institution other than a shelter home or drop-in-centre shall hold an inquiry about such escape and send his report to the Board or Committee and the authorities concerned, and the report shall be placed before the Management

Committee in the next meeting for review.

Chapter III

Child in Need of Care and Protection

17. Tenure of the Child Welfare Committee.

(1)The Child Welfare Committee shall have a tenure of three years and the tenure of Chairperson and Members shall be co-terminus with the tenure of the Committee. To ensure continuity on completion of the tenure of the committee, the State Government shall initiate the process to constitute new Committee before four months of the expiry of the existing Child Welfare Committee.(2)The Chairperson and Members of such Committee shall be eligible for the appointment for a maximum of two consecutive terms.(3)Extension of the tenure of members of such Committee, shall be on the basis of their performance appraisal by the District Child Protection Unit or the State Government and on the recommendation of the Selection Committee.(4)With a view to ensuring continuity on completion of the tenure of a such Committee, the State Government shall constitute a new Child Welfare Committee before the expiry of the term of the existing Committee, and the said Committee shall handover all records and information to the newly constituted Committee.(5)The Chairperson and Members may resign at any time by giving one month's notice in writing.(6)Any casual vacancy in the Committee may be filled up by another person from the panel of names prepared by such Committee, for the remaining term of the Committee.

18. Qualifications of Chairperson and Members of the Child Welfare Committee.

(1)A person to be selected as a Chairperson or Member of the Child Welfare Committee shall have either of the following qualifications, in addition to a minimum of seven years experience in their respective field,- namely:-(i)a person with post graduate degree in social work, psychology, child development, education, sociology, law, criminology:Provided that if a person possessing the afore said qualification is not available, a person with at least a graduate degree in any of the social science disciplines, may be considered for appointment; or(ii)a teacher, doctor or a social worker who has been involved in work concerning the children.(2)The Chairperson or Member of such Committee shall be a person not less than thirty five years of age.

19. Disqualifications of Chairperson and Members of the Child Welfare Committee.

(1)No person shall be considered for selection as a Chairperson or Member of the Child Welfare Committee, if he,-(a)has been convicted by a court under any law;(b)has been involved in any immoral act or in an act of child abuse or employment of child labour ;(c)is holding such full-time occupation due to which he is unable to give requisite time and attention to the work of the said

Committee under the Act and these rules ; and(d)does not fulfill the qualification and experience specified in the Act and these rules, and in such a case, the said Committee, shall after due inquiry and on establishment of such fact, reject his application.

20. Sitting and conveyance allowances.

- The Chairperson and Members of the Child Welfare Committee shall be paid such travel and other allowance, as the State Government may determine from time to time.

21. Sitting of the Child Welfare Committee.

(1)The Child Welfare Committee shall hold its sittings in the premises of the children s home or, at a place in proximity to the children s home or, at a suitable premises in any institution run under the Act or these rules.(2)On receiving information about child or juveniles in need of care and protection, if circumstances are such that the child or juvenile cannot be produced before the said Committee, the Committee may move out to reach the child or juvenile and hold its sitting at a place that is convenient for such child or juvenile.(3)The premises where the said Committee holds its sittings shall be child-friendly and shall not look like a court room in any manner whatsoever, for example, the Committee shall not sit on a raised platform and the sitting arrangement shall be uniform and there shall be no witness boxes.(4)The said Committee shall meet a minimum of three days a week and the Chairman can increase number of sitting depending on the number of cases and pendency of work.(5)A minimum of three-fourth attendance of the Chairperson and Members of the Committee is necessary in each quarter of the year.(6)The duration of a sitting shall depend on the pendency of work before the said Committee.(7)Every member of said Committee shall attend a minimum of four hours per sitting.

22. Functions of the Child Welfare Committee.

- The Child Welfare Committee, shall perform the following functions to achieve the objectives of the Act, namely:-(a)to take cognizance of and receive the children produced before such Committee;(b)to decide on the matters brought before such Committee;(c)to reach out to such children in need of care and protection who are not in a position to be produced before the said Committee, being in difficult circumstances, with support from the District Child Protection Unit or State Child Protection Unit or the State Government;(d)to conduct necessary inquiry on all issues relating to and affecting the safety and well being of the child;(e)to direct the Child Welfare Officers or Probation Officers or non- Governmental organisations to conduct social inquiry and submit a report to the Committee;(f)to ensure necessary care and protection, including immediate shelter;(g)to ensure appropriate rehabilitation and restoration, including passing necessary directions to parents or guardians or fit persons or fit institutions in this regard, in addition to follow-up and coordination with District Child Protection Unit or State Adoption Resource Agency and other agencies;(h)to direct the Officer-in-charge of children s homes to receive children requiring shelter and care;(i)to maintain detailed case record along with a case summary of every case dealt by the said Committee;(j)to provide a child-friendly environment for children;(k)to recommend `fit institutions` to the State Government for the care and protection of children;(l)to

declare `fit persons ;(m)to declare a child legally free for adoption;(n)to keep information about and take necessary follow-up action in respect of missing children in their jurisdiction;(o)to maintain liaison with the Board in respect of cases needing care and protection;(p)to visit each institution where children are sent for care and protection or adoption at least once in three months to review the condition of children in institutions, with support of the State Government and suggest necessary action;(q)to monitor associations and agencies within their jurisdiction that deal with children in order to check on the exploitation and abuse of children;(r)to co-ordinate with the Police, Labour Department and other agencies involved in the care and protection of children with the support of District Child Protection Unit or State Child Protection Unit or State Government;(s)to liaison and network with the corporate sector and non- Governmental organisations for any of the above, including for social inquiry, restoration and rehabilitation, as and when required; and(t)to maintain a suggestion box to encourage inputs from children and adults alike and take necessary action.

23. Quorum and Procedure in relation to Child Welfare Committee.

(1)The quorum for the meeting shall be three members, which may include the Chairperson.(2)Any decision taken by an individual member, when the said Committee is not sitting, shall require ratification by the Committee in its next sitting.(3)The Committee shall take into consideration the age, developmental stage, physical and mental health, opinion of the child and the recommendation of the Child Welfare Officer or case worker, prior to disposal of cases.(4)For final disposal of a case, the order of the Committee shall be signed by at least two members, including the Chairperson.

24. Production of a Child before the Child Welfare Committee.

(1)A child in need of care and protection shall be produced before the Child Welfare Committee within twenty-four hours, excluding journey time, by one of the following persons:-(a)any police officer or Special Juvenile Police Unit or a designated police officer;(b)any public servant;(c)childline, a registered voluntary organization or by such other voluntary organization or an agency, as may be recognized by the State Government;(d)social worker;(e)any public spirited citizen; or(f)the child may himself, appear before the Committee.(2)In the case of a child under two years of age, who is medically unfit, the person or the organization shall send a written report along with the photograph of the child to the Committee within twenty-four hours and produce the child before the Committee as soon as the child is medically fit along with a medical certificate to that effect.(3)The Committee can suo motu take cognizance of cases brought to their notice and reach out to a child in need of care and protection where necessary, and the District or the State Child Protection Unit or the State Government shall provide necessary support and assistance to the Committee for carrying out such functions.(4)In case, the Committee is not sitting, the child may be produced before the individual member of the Committee for being placed in safe custody of fit person or fit institutions, as the case may be, till such time, as the child can be produced before the Committee.(5)In case, the individual member is also not accessible, or that the hours are odd, the child shall be taken by a non-Governmental organisation or Childline or Police to an appropriate institution for children registered under the Act with all the necessary documents, and placed in such institution till the time of production before the Committee.(6)The concerned institution shall

inform the Chairperson or a member of the Committee about such child and produce the child before the Committee within twenty four hours and in such cases, it may not be necessary for the person, who brings a child in need of care and protection, to an institution to be present at the time of production of the child before the Committee.(7)Whoever, produces a child before the Committee, shall submit a report about the circumstances under which the child came to their notice and efforts made by them on informing the police and the missing persons squad and in cases where a recognized voluntary organization or any police personnel produce a child before the Committee, they shall also submit a report on the efforts made by them for tracing the family of the child.(8)Any general medical or gynecological examination of children shall not be a pre-requisite for production of the child before the Committee or admission in an institution.(9)The Committee shall facilitate the filing of a police complaint and First Information Report in cases of missing children as well as matters of violence, exploitation and abuse of children and arrange for required legal aid through the Legal Officer in the District Child Protection Unit or District or State Legal Aid Services Authority or voluntary organisations.(10)Each Committee shall send quarterly information about children in need of care and protection received by them to the District or State Child Protection Unit or State Government.(11)Children shall be provided a child-friendly environment during the proceedings of the Committee.(12)The Committee, shall have an empanelled list of lawyers, social workers and mental health expert, who may assist the Committee in dealing with cases of abused children and who, may also interface with the Public Prosecutor or Assistant Public Prosecutor, to facilitate legal services to the abused children, when the cases relating to such children are taken up in regular criminal courts.(13)Every possible effort shall be made to trace the family with support from the District Child Protection Unit, and assistance of recognized voluntary organizations, childline or police may also be taken.(14)The Committee shall send the child to the designated place of safety, with age and gender appropriate facilities, pending inquiry and in such eventuality, the District Child Protection Unit or State Child Protection Unit or State Government, shall provide transport or make necessary budgetary allocations for such expenses based on the actual fare.(15)The child may be escorted by the police officer or representative of the voluntary organization or by any other arrangement as may be considered appropriate by the Committee with support from the District Child Protection Unit and in case of a girl child, a female escort shall accompany the child.(16)A list of all recognized child care institutions along with their capacity and appropriate facilities, a list of all child related resource services and a list of contact details of all Child Welfare Committees in the State shall be provided to the Committee by the District Child Protection Unit or State Government.(17)The Committee may, while making an order in Form VIII placing a child under the care of a parent, guardian or a fit person pending inquiry or at the time of restoration, as the case may be, direct such parent, guardian or fit person to give an undertaking in Form IX.(18)Whenever the Committee orders a child to be kept in an institution, it shall forward to the Officer-in-charge of such institution, a copy of the order of short term placement pending inquiry, in Form X with particulars of the home and parents or guardian and previous record.(19)Whenever the Committee, orders a child to be kept in a fit institution as part of restoration under clause (f) of the Explanation given below sub-section (3) of section 39 , it shall forward a copy of its order of restoration in Form XI to the Officer-in-charge of such institution.(20)The child shall be placed in an institution close to the place where his parents or guardians belong, as far as possible, unless the child has been subjected to abuse or exploitation by parents or guardians, as the case may be.

25. Procedure for inquiry.

(1)When a child is brought before the Committee, it shall assign the case to a social worker or case worker or Child Welfare Officer or Officer-in-charge, as the case may be, of the institution or any recognized agency for conducting the inquiry by passing an order in Form-XII.(2)The Committee shall direct the concerned person or organization about the details or particulars to be enquired into for developing an individual care plan and suitable rehabilitation.(3)All inquiries conducted by a social worker or case worker or Child Welfare Officer or Officer-in-charge of the institution or any recognized agency, shall be prepared as per Form-XIII and must provide an assessment of the family of the child in detail, and explain in writing whether it will be in the interest of the child to restore him to his family.(4)The inquiry must be completed within four months or within such shorter period as may be fixed by the Committee:Provided that the Committee may, in the interest of the child and for the reasons to be recorded in writing, extend the said period under special circumstances.(5)After completion of the inquiry, if, the child is under orders to continue in the children's home, the Committee, shall direct the Officer-in-charge of the home to submit quarterly progress report of such child and produce the child before the Committee for an annual review of the progress.

26. Registration of Children's Homes.

(1)The State Government itself or in association with voluntary organizations, shall set up separate Children's homes for children in need of care and protection, in the manner specified below:-(a)all children s homes shall be registered as child care institutions as per the provisions of these rules;(b)all children s homes shall report to the concerned Committee about every child in need of care and protection received by it;(c)children of both sexes below ten years may be kept in the same home, but separate facilities shall be provided for boys and girls in the age group of five years to ten years;(d)every children s home shall provide separate facilities for children in the age group up to five years with appropriate facilities for the infants;(e)separate cottage in children's homes shall be set up for boys and girls in the age group of ten to eighteen years; and(f)children in the age group of ten to eighteen years shall be further segregated into two groups of ten years to fifteen years and fifteen to eighteen years.(2)Each children home shall be a comprehensive child care center with the primary objective to promote an integrated approach to child care by involving the community and local Non- Governmental Organizations through the Management Committee, and the District Child Protection Unit or State Child Protection Unit or the State Government shall make an annual performance review of functioning of the children s homes.(3)The activities of such centre shall focus on,-(a)preparing and following individual care plans for every child, with rights based approach, specifically addressing the child s physical and mental health, emotional needs, education, skill development, protection and special needs if any;(b)family based non-institutional services, such as, foster family care, adoption and sponsorship;(c)specialized services in situations of conflict or disaster and for juveniles or children affected by terminal or incurable disease to prevent neglect by providing family counseling , nutrition, health interventions, psycho-social interventions and sponsorship;(d)emergency outreach service through child line (Toll Free Help Line No. 1098);(e)linkages with Integrated Child Development Services to cater to the needs of children below six years;(f)linkages with organizations and individuals who can provide support services to

children; and(g)opportunities to volunteers willing to provide various services for children.

27. Shelter Homes.

(1)For children in urgent need of care and protection, such as street children and run-away children, the State Government shall support creation of requisite number of shelter homes or dropin-centres through the voluntary organizations.(2)Shelter homes shall include,-(a)short-stay homes for children needing temporary shelter, care and protection for a maximum period of one year;(b)transitional homes providing immediate care and protection to a child for a maximum period of four months; and(c)twenty four hour drop-in-centers for children needing day care or night shelter facility.(3)The shelter homes or drop-in-centers shall have the minimum facilities of boarding and lodging, besides the provision for fulfillment of basic needs in terms of clothing, food, health care and nutrition, safe drinking water and sanitation.(4)There shall be separate shelter homes for girls and boys.(5)All shelter homes shall provide requisite facilities for education, vocational training, counselling and recreation or make arrangements for it in collaboration with voluntary organizations or corporate sector.(6)The Child Welfare Committee, Special Juvenile Police Units, public servants, Childlines, voluntary organizations, social workers and the children themselves may refer a child to such shelter homes.(7)All shelter homes shall submit a report of children using the shelter home facility along with a photograph of the child to the said Committee, the missing persons bureau or Special Juvenile Police Unit, the District Child Protection Unit and the State Child Protection Unit.(8)The requirements of producing a child received by a shelter home before the said Committee, inquiry and disposal under sections 32, 33, 38 and 39 shall apply only to shelter homes other than the dropin- centers.(9)The services of Officer-in-charge, Child Welfare Officer and Social Worker shall be provided for the proper care, protection, development, rehabilitation and re-integration needs of children in shelter homes.(10)No child shall ordinarily stay in a short stay home for more than one year, except in special circumstances with the approval of the Committee.

28. Guidelines for prevention of sexual abuse of children.

- The State Government, the Juvenile Justice Board, the Child Welfare Committee, the other competent authorities and agencies shall, in the best interest of children, ensure that every person, school or such other educational institutions abide by the guidelines issued by the Central Government and State Government from time to time for prevention of sexual abuse of children.

Chapter IV

Rehabilitation and Social Reintegration

29. Rehabilitation and Social Reintegration.

- The primary aim of rehabilitation and social reintegration is to help children in restoring their dignity and self-worth and to bring them to the mainstream through rehabilitation within the family where possible, or otherwise through alternate care programmes and long-term institutional care

shall be of last resort.

30. Adoption.

(1)The primary aim of adoption is to provide a child, who cannot be cared for by his biological parents with a permanent substitute family.(2)For all matters relating to adoption, the guidelines issued by the Central Adoption Resource Agency and notified by the Central Government, shall apply.(3)In case of orphaned and abandoned children, the following procedure shall apply, namely:-(a)specialized adoption agencies shall produce all orphaned and abandoned children, who are to be declared legally free for adoption before the Child Welfare Committee within twenty-four hours of receiving such children, excluding the time taken for journey;(b)a child becomes eligible for adoption when the said Committee has completed its inquiry and declares that the child is legally free for adoption;(c)such declaration shall be made in Form XIV;(d)a child must be produced before the Committee at the time of declaring such child legally free for adoption;(e)whenever intimation is received by the police about an abandoned infant, the police shall take charge of the infant and arrange to provide immediate medical assistance and care;(f)subsequently, the child shall be placed in a specialized adoption agency or recognized and certified children's home or in a pediatric unit of a Government hospital followed by production of the child before the said Committee within twenty-four hours; and(g)procedure for declaring a child abandoned and certifying him legally free for adoption shall be as under:-(i)in case of an abandoned child, the recognized agency shall within twenty four hours, report and produce the child before the said Committee along with the copy of the report filed with the police station in whose jurisdiction the child was found abandoned;(ii)the said Committee will institute a process of inquiry, which shall include a thorough inquiry conducted by the Probation Officer or Child Welfare Officer, as the case may be and who shall give report in Form XIII to the Committee containing the findings within a period of one month;(iii)there shall be a declaration by the specialized adoption agency, stating that there has been no claimant for the child even after making notification in at least one leading national newspaper and one regional language newspaper for children below two years of age and for children above two years, an additional television or radio announcement and notification to the missing persons squad or bureau shall also be made;(iv)the steps stated in sub-clause (iii), shall be taken within a period of sixty days from the date when the child is found in case of a child below two years of age, and in case of children above two years of age, within a period of four months;(v)the period of notification shall run concurrently with the inquiry to be conducted and report submitted under sub-clause (ii);(vi)the said Committee shall declare the child legally free for adoption on completion of the process of inquiry, including declaration of the specialized adoption agency made under sub-clauses (ii) and (iii); and(vii)no child above seven years who can understand and express his opinion, shall be declared free for adoption without his consent.(4)In case of surrendered children, the following procedure shall apply, namely:-(a)a surrendered child is one, who had been declared as such after due process of inquiry by the Committee and in order to be declared legally free for adoption, a `surrendered' child shall be any of the following:-(i)born as a consequence of non-consensual relationship;(ii)born of an unwed mother or out of wedlock;(iii)a child in whose case one of the biological parents is dead and the living parent is incapacitated to take care;(iv)a child where the parents or guardians are compelled to relinquish him due to physical, emotional and social factors beyond their control;(b)serious efforts shall be made by the Committee for counseling the parents,

explaining the consequences of adoption and exploring the possibilities of parents retaining the child and if, the parents are unwilling to retain, then, such children shall be kept initially in foster care or arranged for their sponsorship;(c)if the surrendered child is inevitable, a deed of surrender in Form XV shall be executed on a non judicial stamp paper in the presence of the Committee;(d)the adoption agencies shall wait for completion of two months reconsideration time given to the biological parent or parents after surrender;(e)in case of a child surrendered by his biological parent or parents, the document of surrender shall be executed by the parent or parents before the Committee; and(f)after due inquiry, the Committee shall declare the surrendered child legally free for adoption in Form XIII, as the case may be, after a sixty days reconsideration period as per the Central Adoption Resource Agency guidelines.

31. Foster Care.

(1)For children who cannot be placed in adoption, order shall be issued by the competent authority in Form XVII for carrying out these children in foster care under the supervision of a probation officer or a case worker or a social worker, as the case may be, and the period of remaining the children in foster care shall depend on the need of the child.(2)Every specialized adoption agency shall design its own foster care programme so as to reduce institutionalization of children and enable a nurturing family environment for every child.(3)The specialized adoption agency shall consult the Boards or Committees, non-Governmental organizations, academicians and organizations working on alternative care for children in developing the foster care programme.

32. Criteria for selection of families for foster care.

(1)In the case of children, covered under rule 31, the following criteria shall apply for selection of families for foster care, namely:-(a)foster parents should have stable emotional adjustment within the family;(b)foster parents should have an income in which they are able to meet the needs of the child and are not dependent on the foster care maintenance payment;(c)the monthly family income shall be adequate to take care of foster children and shall be approved by the child welfare Committee;(d)medical reports of all the members of the family residing in the premises should be obtained including checks on Human Immuno Deficiency Virus (HIV), Tuberculosis(TB) and Hepatitis B, to determine that they are medically fit;(e)the foster parents should have experience in child caring and have the capacity to provide good child care;(f)the foster parents should be physically, mentally and emotionally stable;(g)the home should have adequate space and basic facilities;(h)the foster care family should be willing to follow rules laid down including regular visits to pediatrician, maintenance of child health and their records;(i)the family should be willing to sign an agreement and to return the child to the specialized adoption agency whenever called to do so;(j)the foster parents should be willing to attend training or orientation programmes; and(k)the foster parents should be willing to take the child for regular (at least once a month in the case of infants) check ups to a pediatrician approved by the said agency.(2)There shall be no discrimination in selection of foster-parents on the basis of caste, religion, ethnic status, disability, or health status. The best interests of the child shall be paramount factor in deciding foster-care placement.(3)The foster parents shall be declared `fit persons` by the said Committee before the child giving in adoption after thorough assessment done by the Child Welfare Officer or Social Worker in Form

XVI.

33. Schemes of sponsorship.

(1)The State Government shall prepare sponsorship programmes in consultation with the Non Governmental Organizations, Child Welfare Committees, other relevant Government agencies and the agencies in corporate sector.(2)The State Government, with the help of District or State Child Protection Units shall identify families and children at risk and provide necessary support services in the form of sponsorship for child s education, health, nutrition and other developmental needs.(3)The children's homes and special homes shall promote sponsorship programmes.(4)The institutions receiving sponsorship, shall maintain proper and separate accounts of all the receipts and payments for the sponsorship programmes.(5)The Board or the Child Welfare Committee, as the case may be, shall make an order in Form XVIII for support to a juvenile or child through sponsorship programmes and send a copy to the District or State Child Protection Unit or the State Government for appropriate action

34. After Care Organisation.

(1)The State Government shall establish an after care organization for care of juveniles or children after they leave special homes and children's homes with the objective to facilitate their transition from an institution-based life to mainstream society for social re-integration.(2)The after care organization shall be available for eighteen year to twenty one year old persons, who have no place to go to or are unable to support themselves. The District or State Child Protection Units shall make collaboration with voluntary organizations as per the provisions of these rules.(3)Once the Board or the Child Welfare Committee, as the case may be, passes an order in Form XIX for placing a juvenile or a child completing eighteen years of age under the after care organization, a copy of such order shall be sent to the District and the State Child Protection Unit and the State Government, who shall be responsible for arranging after care organization.(4)The Board or the said Committee, as the case may be, shall have jurisdiction over the persons placed in after care organization.(5)The objective of these organizations, shall be to enable such children to adapt to the society and during their stay in these transitional homes, they shall be encouraged to move away from an institutionbased life to a normal one.(6)The key components of the programme shall include,-(a)community group housing on a temporary basis for groups of young persons aged eighteen years to twenty one years;(b)encouragement to learn a vocation or gain employment and contribute towards the rent as well as the running of the home;(c)encouragement to gradually sustain themselves without state support and move out of the group home to stay in a place of their own after saving sufficient amount through their earnings; and(d)provision for a peer counsellor to stay in regular contact with these groups to discuss their rehabilitation plans and provide creative outlets for their energy and to tide over crisis periods in their life.(7)During the course of vocational training, a stipend may be given to such young person till they get employment.(8)Loans may be arranged for the youth in an after care programme aspiring to set up entrepreneurial activities on the basis of an application made by them, and after due verification of the need for such a loan, necessary professional advice and training shall be made available to the youth in such after care programme.(9)The structure shall include 6 to 8 youths in each group home, who may opt to stay together on their own and one

peer counsellor for a cluster of five group homes.

35. Linkages and co-ordination.

(1)The State Government shall circulate a copy of the Act and these rules to establish effective linkages between various Government, Non-Government, corporate and other community agencies for facilitating the rehabilitation and social re-integration of juveniles or children through the Board or the Committee, as the case maybe.(2)The State Government with the help of State or District Child Protection Unit, shall identify the roles and responsibilities of each department at State or District level, for effective implementation of the Act and these rules and inform them through a notification.(3)The State Government with the help of State or District Child Protection Unit, shall arrange for appropriate training and sensitization of functionaries of these organizations from time to time in coordination with National Institute of Public Cooperation and Child Development and its Regional Centres.(4)The State Government with the help of State or District Child Protection Unit, shall develop effective networking and linkages with local Non-Governmental organizations for specialized services and technical assistance like vocational training, education, health care, nutrition, mental health intervention, drug de-addition and legal aid services.

Chapter V Standards of Care for Institutions

36. Physical infrastructure.

(1)The homes for juveniles in conflict with law and children in need of care and protection, shall function from separate premises.(2)The accommodation in each institution shall be as per the following criteria, namely:-(a)Observation Home:(i)separate observation homes for girls and boys; and(ii)classification and segregation of juveniles according to their age group preferably seven years to eleven years, twelve years to sixteen years and seventeen years to eighteen years, giving due consideration to physical and mental status and the nature of the offence committed.(b)Special Home:(i)separate special homes for girls above the age of ten years and boys in the age groups of eleven years to fifteen years and sixteen years to eighteen years; and(ii)classification and segregation of juveniles on the basis of age and nature of offences and their mental and physical status ;(c)Children s Home:(i)while children of both sexes below ten years can be kept in the same home, separate bathing and sleeping facilities shall be maintained for boys and girls in the age group of five to ten years;(ii)separate children s homes for boys and girls in the age group of seven to twelve years and thirteen to eighteen years; and(iii)separate facilities for children in the age group of Zero to five years with appropriate facilities for infants.(d)Shelter Home:(i)separate shelter homes for girls and boys; and(ii)separate shelter homes for girls above the age of ten years, and for boys in the age groups of eleven to fifteen years and sixteen to eighteen years.(3)The norms for building or accommodation for an institution with 50 juveniles or children shall be as under:-

(a)	2 Dormitories	Each 1000 Sq. ft. for 25 juveniles or
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		children i.e. 2000 Sq.ft;
(b)	2 Classrooms	300 Sq. ft. for 25 juveniles or children i.e. 600 Sq. ft;
(c)	Sickroom/First aid room	75 Sq. ft. per juvenile/children for 10 i.e. 750 Sq. ft;
(d)	Kitchen	250 Sq. ft;
(e)	Dining Hall	800 Sq. ft;
(f)	Store	250 Sq. ft;
(g)	Recreation room	300 Sq. ft;
(h)	Library	500 Sq. ft;
(i)	5 bathrooms	25 Sq. ft. each i.e. 125 Sq. ft;
(j)	8 toilets / latrines	25 Sq. ft. each i.e. 200 Sq. ft;
(k)	Office rooms	(a) 300 Sq. ft. (b) Superintendent's room 200 sq. ft;
(l)	Counseling and guidance room	120 Sq. ft;
(m)	Workshop	1125 Sq. ft. for 15 juvenile @75 Sq. ft.per trainee;
(n)	Residence for Superintendent	(a) 2 rooms of 250 Sq. ft. each (b) kitchen 75 Sq. ft. (c) bathroom cum Toilet/latrine 50 Sq.ft;
(o)	2 Rooms for Juvenile Justice Board/Child Welfare Committee	300 Sq. ft. each i.e. 600 Sq. ft; and
(p)	Play ground	Sufficient area according to the total number of juveniles or children.
Total	8495 Square feet.	

(4) The Superintendent shall stay within the institution and be provided with a house and in case,

he is not able to stay in the house for legitimate reasons (for which permission will be by the Director, Social Security and Women & Child Development), any other senior staff member of the institution shall stay in the institution and supervise the overall care of the children or juveniles and take decisions in the case of any crisis and emergency.

(5) (a) the standards of building or accommodation as per the norms laid down in sub-rule(3), shall be observed to the extent possible and shall include a minimum of the following facilities:-

(i)	Dormitory	40 Sq. ft. per juvenile or child;
(ii)	Classroom	300 Sq. ft for 25 juvenile or child;
(iii)	Workshop	75 Sq. ft. per juvenile or child; and.
(iv)	Play ground	Sufficient play ground area shall be provided in every institution according to the the total number of juveniles in the institution;

(b) there shall be proper and smooth flooring for preventing accidents ;(c) there shall be adequate lighting, ventilation, heating and cooling arrangements, safe drinking water and clean toilets, in terms of gender, age appropriateness and accessibility ; and (d) all institutions shall make provision of first aid kit, fire extinguishers in kitchen, dormitories, store rooms, counselling room, periodic review of electrical installations, proper storage and inspection of articles of food stuffs, stand-by arrangements for water storage and emergency lighting.(6) The Observation homes and special homes, shall be child-friendly and in no way shall they look like a jail or lock-up.

37. Clothing and Bedding.

- The clothing and bedding shall be as per the scale and climatic conditions. The requirements of each juvenile or child and the minimum standards for clothing and bedding shall be such, as laid down in Schedule-I.

38. Sanitation and Hygiene.

- Every institution shall have the following facilities, namely:-(a)sufficient treated drinking water or water filters shall be installed;(b)sufficient water for bathing and washing clothes, maintenance and cleanliness of the premises;(c)proper drainage system;(d)arrangements for disposal of garbage;(e)protection from mosquitoes by providing mosquito nets or repellants ;(f)annual pest control;(g)sufficient number of well lit and airy toilets in the proportion of at least one toilet for seven children;(h)sufficient number of well lit and airy bathrooms in the proportion of at least one bath room for ten children;(i)sufficient space for washing;(j)clean and fly-proof kitchen and separate area for washing utensils;(k)sunning of bedding and clothing; and(l)maintenance of cleanliness in the Medical Centre.

39. Daily Routine.

(1)Every institution shall have a daily routine for the juveniles or children development in consultation with the Child welfare Committees, which shall be prominently displayed at various places within the institution and on the conspicuous parts of the building or institution.(2)The daily routine shall provide, inter alia, for a regulated and disciplined life, personal hygiene and cleanliness, physical exercise, yoga, educational classes, vocational training, organized recreation and games, moral education, group activities, prayer and community singing and special programmes for sundays and holidays.

40. Nutrition and Diet Scale.

- The following nutrition and diet scale shall be followed by the institutions, namely:-(a)the children shall be provided four meals in a day including breakfast;(b)the menu shall be prepared with the help of a nutritional expert or a doctor to ensure balanced diet and variety in taste as per the minimum nutritional standard and diet scale set out in Schedule II ;(c)every institution under the Act shall strictly adhere to the minimum nutritional standard and diet scale as specified in Schedule II;(d)juveniles or children may be provided special meals on holidays and festivals; and(e)infants and sick juveniles or children, shall be provided special diet according to the advice of the doctor on their dietary requirement.

41. Medical Care.

- Every institution shall, -(a)maintain a medical record of each juvenile or child on the basis of monthly medical check-up and provide necessary medical facilities;(b)ensure that the medical record includes weight and height record, any sickness and treatment, and other physical or mental problem;(c)have arrangement for the medical facilities, including a doctor on call available on all working days for regular medical check-ups and treatment of juveniles or children;(d)have sufficient medical equipments to handle minor health problems including first aid kit with stock of emergency medicines and consumables;(e)train all staff in handling first aid;(f)tie-up with local Primary Health Centre, Government Hospital, Medical Colleges, other hospitals, clinical psychologists and

psychiatrists and mental health institutes for regular visits by their doctors and students and for holding periodic health camps within the institutions;(g)make necessary arrangements for the immunization coverage;(h)take preventive measures in the event of out break of contagious or infectious diseases;(i)set up a system for referral of cases with deteriorating health or serious cases to the nearest civil hospital or recognised treatment centers;(j)keep sick children under constant medical supervision;(k)admit a juvenile or child without insisting on a medical certificate at the time of admission;(l)arrange for a medical examination of each juvenile or child admitted in an institution by the Medical Officer within twenty-four hours and in special cases or medical emergencies, immediately;(m)arrange for a medical examination of the juvenile or child by the Medical Officer at the time of transfer within twenty four-hours before transfer;(n)not to carry out any surgical treatment on any juvenile or child without the previous consent of his parent or guardian, unless either the parent or guardian cannot be found and the condition of the juvenile or child is such that any delay shall, in the opinion of the medical officer, involve unnecessary suffering or injury to the health of the juvenile or child, or otherwise without obtaining a written consent to this effect from the Officer-in-charge of the institution;(o)provide or arrange for regular counseling of every juvenile or child, and ensure specific mental health interventions for those in need of such services, including separate rooms for counselling sessions within the premises of the institution; and(p)refer such children, who require specialized drug abuse prevention and rehabilitation programme, to an appropriate centre administered by qualified personnel where these programmes, shall be adopted to the age, gender and other specifications of the concerned child.

42. Mental Health.

(1)A mental health record of every juvenile or child shall be maintained by the concerned institution.(2)Both milieu-based interventions that is, creating an enabling environment for children and individual therapy are must for every child, and shall be provided in all institutions.Explanation. - For the purpose of this sub-rule, milieu-based intervention is a process of recovery, which starts through providing an enabling culture and environment in an institution so as to ensure that each juvenile or child's abilities are discovered and they have choices and right to take decisions regarding their life and thus, they develop and identify beyond their negative experiences and such intervention has a critical emotional impact on the juvenile or child.(3)The environment in an institution shall be free from abuse, allowing juveniles or children to cope with the situation and regain confidence.(4)All persons involved in taking care of the juveniles or children in an institution shall participate in facilitating an enabling environment and work in collaboration with the therapists.(5)Individual therapy is a specialized process and each institution shall make provision for it as a critical mental health intervention.(6)Every institution shall have the services of trained counselors or collaboration with external agencies such as child guidance centers, psychology and psychiatric departments or similar Government and Non-Governmental agencies, for specialized and regular individual therapy for every juvenile or child in the institution.(7)A mental health care plan shall be developed for every juvenile or child by the child welfare officers in consultation with mental health experts associated with the institution, and shall be integrated into the individual care plan of the concerned juvenile or child.(8)The recommendations of mental health experts shall be maintained in every case file, and shall be integrated into the care plan for every child.(9)All care plans, shall be produced on monthly basis before the Management

Committee and on quarterly basis before the Child Welfare Committee .(10)No juvenile or child shall be administered medication for mental health problems without a psychological evaluation and diagnosis by appropriately trained mental health professionals.

43. Education.

(1)Every institution shall provide education to all juveniles or children according to the age and ability, both inside the institution or outside, as per the requirement.(2)There shall be a range of educational opportunities including, mainstream inclusive schools, bridge school, open schooling, non formal education and learning and input from special educators where needed.(3)Wherever necessary, extra coaching shall be made available to school going children in the institutions by encouraging volunteer services or tying up with coaching centers.

44. Vocational Training.

(1)Every institution shall provide gainful vocational training to juveniles or children.(2)The institutions shall develop networking with Institute of Technical Instruction, Jan Shikshan Sansthan, Government and Private Organizations, or Enterprises, Agencies or Non-Governmental Organisations with expertise or placement agencies.

45. Recreation facilities.

(1)A provision of guided recreation shall be made available to all juveniles or children in the institutions.(2)It shall include indoor and outdoor games, music, television, picnics and outings, cultural programmes and library.

46. Institutional Management of juveniles or children.

(1)The following procedure shall be followed in respect of the newly admitted juveniles:(a)receiving and search;(b)disinfection and storing of juvenile's personal belongings and other valuables;(c)bath and haircut (unless prohibited by religion);(d)issue of toiletry items, new set of clothes, bedding and other outfit and equipment (as per scales);(e)medical examination and treatment where necessary and in case of every juvenile suspected to be suffering from contagious or infectious diseases, mental ailments or addiction;(f)segregation in specially earmarked dormitories or wards or hospitals in case of a child suffering from contagious disease requiring special care and caution;and(g)attending to immediate and urgent needs of the juveniles like appearing in examinations, interview letter to parents, personal problems and verification by the Officer-in-charge of juvenile as per order of the Board.(2)Every newly admitted juvenile or child shall be allotted a case worker from amongst the probation officers or child welfare officers or social workers or counselors attached to the institutions or voluntary social workers.(3)Every newly admitted juvenile shall be familiarized with the institution and its functioning and shall receive orientation in the following areas:-(a)personal health, hygiene and sanitation;(b)institutional discipline and standards of behavior, respect for elders and teachers;(c)daily routine, peer interaction, optimum use of developmental opportunities;

and(d)rights, responsibilities and obligations within the institution.(4)The designated officer shall enter the name of the juvenile or child in the Admission Register and allocate appropriate accommodation facility.(5)The photograph shall also be taken immediately for records and the case worker or probation officer or welfare officer, as the case may be, shall begin the investigation and correspondence with the person, the juvenile or child, might have named.(6)The Officer-in-charge shall see that the personal belongings of the juvenile or child received by the institution are kept in safe custody and recorded in the Personal Belongings the Register, and such items shall be returned to the juvenile or child, when he leaves the institution.(7)The girl juvenile or child shall be searched by a female member of the staff, and with due regard to decency and dignity of the juvenile or child.(8)The educational level and vocational aptitude of the juvenile admitted, may be assessed on the basis of test and interview conducted by the teacher, the workshop supervisor and other technical staff and necessary linkages may also be established with outside specialists and community-based welfare agencies, psychologist, psychiatrist, child guidance clinic, hospital and local doctors, open school or Jan Sikshan Sansthan.(9)A case history of the juvenile or the child admitted to an institution shall be maintained in Form XX, which shall contain information regarding his socio-cultural and economic background and this information may invariably be collected through all possible and available sources, including home, parents or guardians, employer, school, friends and community.(10)A well conceived programme of pre-release planning and follow up of cases, discharged from special homes, shall be organized in all institutions in collaboration with the existing Governmental and voluntary welfare organizations.(11)In the event of a juvenile or child leaving the institution without permission or committing an offence within the institution, the information shall be sent by the officer-incharge of the concerned institution to the police and the family, if known; and the detailed report of the circumstances along with the efforts to trace the juvenile or child where the juvenile or child is missing, shall be sent to the Board or Committee, as the case may be.(12)An individual care plan for every juvenile or child in the institution shall be developed with the ultimate aim of the child being rehabilitated and re-integrated based on their case history, circumstances and individual needs and the individual care plan shall be based on the following guidelines:-(a)the Officer-in-charge, counselor along with the child welfare officer or a case worker, or a social worker, shall prepare an individual care plan for every child in an institution within a period of one month of his admittance in the institution in Form XXI;(b)all care plans shall include a plan for the juvenile s or child s restoration, rehabilitation, re integration and follow-up;(c)the care plan shall be reviewed quarterly by the Management Committee, for appropriate development and rehabilitation including options for release or restoration to family or foster care or adoption;(d)juveniles or children shall be consulted while determining their care plan; and(e)continuity of care plan shall be ensured in cases of transfer or repatriation or restoration.

47. Prohibited Articles.

- No person, shall bring into the institution, the following prohibited articles, namely:-(a)fire-arms or other weapons, whether requiring license or not (like knife, blades, lathi, spears and swords);(b)alcohol and spirit of any description;(c)bhanga, ganja, opium or other narcotic or psychotropic substances;(d)tobacco; or(e)any other article specified in this behalf by the State Government by a general or special order.

48. Articles found on search and inspection.

(1)The Officer-in-Charge shall see that every juvenile or child received in the institution is searched, his personal belongings inspected and money or any valuables found with the juvenile is kept in the safe custody of the Officer-in-charge.(2)The girls shall be searched by a female member of the staff and both the girls and boys shall be searched with due regard to decency and dignity.(3)In every institution, a record of money, valuables and other articles found with a juvenile shall be maintained in the 'Personal Belongings Register'.(4)The entries made in the Personal Belongings Register, relating to each juvenile, shall be read over to juvenile in the presence of a witness, whose signature shall be obtained in token of the correctness of such entries, and it shall be countersigned by the Officer-incharge.

49. Disposal of articles.

(1)The money or valuables belonging to a juvenile or child received or retained in an institution, shall be disposed of in the following manner, namely:-(a)on an order made by the competent authority in respect of any juvenile or child directing him to be sent to an institution, the Officer-in-charge shall deposit such juvenile's child's money together with the sale proceeds in the manner laid down from time to time in the name of the juvenile or the child;(b)the juvenile's or child's money shall be kept with the Officer-incharge and valuables, clothing, bedding and other articles, if any, shall be kept in safe custody;(c)when such juvenile or child is transferred from one institution to another, all his money, valuables and other articles, shall be sent along with him to the Officer-in-charge of the institution to which he has been transferred together with a full and correct statement of the description and estimated value thereof;(d)at the time of release of such juvenile or child, the valuables and other articles kept in safe custody and the money deposited in the name of the juvenile or the child shall be handed over to the parent or guardian, as the case may be, with an entry made in this behalf in the register and signed by the Officer-in-charge;(e)when a juvenile or child in an institution dies, the valuable and other articles left by the deceased and the money deposited in the name of the juvenile or child shall be handed over by the Officer-incharge to any person ,who establishes his claim thereto and executes an indemnity bond;(f)a receipt shall be obtained from such person for having received such valuables and other articles and the amount; and(g)if no claimant appears within a period of six months from the date of death or escape of such juvenile or child, the valuables and other articles and amount shall be disposed of as per the decision taken by the Management Committee.

50. Maintenance of case file.

(1)The case file of each juvenile or child shall be maintained in the institution containing the following information:-(a)report of the person or agency who produced the juvenile or child before the Board;(b)officer-in-charge s, probation officer's, child welfare officer s, counsellor s and caseworkers reports;(c)information from previous institution;(d)report of the initial interaction with the juvenile or child, information from family members, relatives, community, friends and miscellaneous information;(e)source of further information;(f)observation reports from staff members;(g)regular health status reports from Medical Officer, drug de-addiction progress reports,

progress reports vis-a-vis psychological counselling or any other mental health intervention, where applicable;(h)intelligence quotient (I.Q) testing, aptitude testing, educational or vocational tests;(i)social history;(j)summary and analysis by case-worker and Officer-in-charge;(k)instruction regarding training and treatment programme and about special precautions to be taken;(l)leave and other privileges granted;(m)special achievements and violation of rules, if any, ;(n)quarterly progress report;(o)individual care plan, including pre-release programme, post release plan and follow-up plan as specified in Form XXI;(p)leave of absence or release under supervision;(q)final discharge;(r)follow-up reports;(s)annual photograph;(t)case history in Form XX;(u)follow-up report of post release cases as per direction of the competent authority, if any; and(v)remarks.(2)All case files maintained by the institutions and the Board or Committee, shall, as far as possible, be computerized and networked so that the data is centrally available to the State and the District Child Protection Unit and the State Government.

51. Management Committee.

(1)Every institution shall have a Management Committee for the management of the institution and monitoring the progress of every juvenile or child.(2)In order to ensure proper care and treatment as per the individual care plans, a juvenile or child shall be grouped on the basis of age, nature of offence or kind of care required, physical and mental health and length of stay order.(3)The Management Committee shall consist of the following members, namely :-

(a) District Child Protection Officer (District ChildProtection Unit);	Chairperson
(b) Officer-in-charge	Member-Secretary
(c) Probation Officer or Child Welfare Officer or Case Worker;	Member
(d) Psychologist or Counselor;	Member
(e) Workshop Supervisor or Instructor in Vocation	Member
(f) Teacher;	Member
(g) Social Worker	Member
(h) Member of Juvenile Justice Board or Child WelfareCommittee; and	Member
(i) A juvenile or child representative from each of theChildren's Committees (on a monthly rotation basis toensure representation of juveniles or children from all agegroups)	Member

(4)In the districts, where District Child Protection Unit is not constituted, the District Magistrate or Collector or his nominee shall be the Chairperson of this Committee.(5)Where voluntary organizations are involved in providing professional and technical services like education, vocational training, psychosocial care, mental health intervention and legal aid, the Management Committee may invite a representative of such voluntary organizations as a special invitee to the Management Committee meetings.(6)(a)The Management Committee shall meet every month to consider and review,-(i)custodial care or care in the institution, housing, area of activity and type of supervision or interventions required;(ii)medical facilities and treatment;(iii)food, water, sanitation and hygiene conditions;(iv)mental health interventions with the juveniles or children;(v)individual problems of juveniles or children, provision of legal aid services and institutional adjustment,

leading to the quarterly review of individual care plans;(vi)vocational training and opportunities for employment;(vii)education and life skills development programmes;(viii)social adjustment, recreation, group work activities, guidance and counselling;(ix)review of progress, adjustment and modification of residential programmes to the needs of the juveniles and children;(x)planning post-release or post-restoration rehabilitation programme and follow up for a period of two years in collaboration with aftercare services;(xi)pre-release or pre-restoration preparation;(xii)release or restoration;(xiii)post release or post-restoration follow-up;(xiv)minimum standards of care, including infrastructure and services available;(xv)daily routine;(xvi)community participation and voluntarism in the residential life of children such as education, vocational activities, recreation and hobby;(xvii)oversee that all registers as required under the Act and rules are maintained by the institution, check and verify these registers that they are duly stamped and signed in the monthly review meetings;(xviii)matters concerning the Children's Committees; and(xix)any other matter which the Officer-in-charge may like to bring up; and(b)The officer-in-charge or child welfare officer shall file a quarterly progress report of every juvenile or child in the case file, and send a copy to the District Child Protection Unit and Board or Management Committee, as the case may be.(7)The Management Committee shall set up a complaint and redress mechanism in every institution and a Children's Suggestion Box shall be installed in every institution at a place easily accessible to juveniles or children away from the office set up and closer to the residence or rooms or dormitories of the juveniles or children.(8)(a)the Children's Suggestion Box, whose key shall remain in the custody of the Chairperson of the Management Committee, shall be checked every week by the Chairperson of the Management Committee or his representative from District Child Protection Unit, in the presence of the members of the Children's Committees;(b)if there is a problem or suggestion that requires immediate attention, the Chairperson of the Management Committee shall call for an emergency meeting of the Management Committee to discuss and take necessary action;(c)the quorum for conducting the emergency meetings shall be five members, including two members of Children's Committees, Chairperson of the Management Committee, Member of Committee or the Board as the case may be and the Officer-in-charge of the institution;(d)in the event of a serious allegation or complaint against the Officer-in-Charge of the institution, he shall not take part in the emergency meeting and another available member of the Management Committee shall be included in his place; and(e)all suggestions received through the suggestion box, and action taken as a result of the decisions made in the emergency meeting or action required to be taken, shall be placed for discussion and review in the monthly meeting of the Management Committee.(9)A Children's Suggestion Book shall be maintained in every institution where the complaints and action taken by the Management Committee are duly recorded, and such action and follow up shall be communicated to the Children's Committees after every monthly meeting of the Management Committee.(10)The Board or Committee shall review the Children's Suggestion Box at least once in three months.

52. Children's Committees.

(1)The Officer-in-charge of every institution for juveniles or children shall facilitate the setting up of Children's Committees for three different age groups of children, viz., six year to ten years, eleven year to fifteen years and sixteen year to eighteen years and these Children's Committees shall be constituted solely by children.(2)Such Committees shall be encouraged to participate in the

following activities, namely:-(a)improvement of the conditions of the institution;(b)reviewing the standards of care being followed;(c)preparing daily routine and diet scale;(d)developing educational, vocational and recreation plans;(e)supporting each other in managing crisis;(f)reporting abuse and exploitation by peers and caregivers;(g)creative expression of their views through wall papers or newsletters or paintings or music or theater; and(h)management of institution through the Management Committee.(3)The Officer-in-charge shall ensure that the Children s Committees meet every month and maintain a register for recording its activities and proceedings, and place it before the Management Committee in their monthly meetings.(4)The Officer-in-charge shall ensure that the Children s Committees are provided with essential support and materials including stationary, space and guidance for effective functioning.(5)The Officer-in-charge shall, as far as possible, seek assistance from any local voluntary organization or child participation experts for the setting up and functioning of the Children s Committees.(6)The local voluntary organization or child participation expert shall support the Children s Committees in the following activity, namely:-(a)selecting their leaders;(b)conducting the monthly meetings;(c)developing rules for the functioning of Children s Committees and following it;(d)maintaining records and Children s Suggestion Book and other relevant documents; and(e)any other innovative activity.(7)The Management Committee shall seek a report from the Officerin- charge on the setting up and functioning of the Children s Committees, review these reports in their monthly meetings and take necessary action where required.

53. Rewards and Earnings.

- The rewards to a juvenile or child, at such rates, as may be fixed by the management of the institution from time to time, may be granted by the Officer-in-charge as an encouragement to steady work and good behaviour, and at the time of release, the reward shall be handed over after obtaining a receipt from the parent or the guardian, who comes to take charge of the juvenile or child or juvenile or child himself.

54. Visits to and communication with juveniles or children.

(1)The parents and relatives of the juveniles or children shall be allowed to visit once in a month or in special cases, more frequently at the discretion of the Officer-in-charge as per the visiting hours laid down by him, except where parents or relatives or guardian have been found to be responsible for subjecting the juvenile or child to violence, abuse and exploitation.(2)The receipt of letters by the juveniles or children of the institution shall not be restricted and they shall have freedom to write as many letters as they like at all reasonable times and the institution shall ensure that where parents, guardians or relatives are known, at least one letter is written by the juvenile or children every month for which the postage shall be provided by the institution.(3)The Officer-in-charge may peruse any letter written by or to the juvenile or children, and may for the reasons that he considers sufficient refuse to deliver or issue the letter and forward it to the Committee after recording his reasons in a book maintained for the purpose.(4)The Officer-in-charge shall, in special circumstances or as per orders of the Board or Committee, allow a juvenile or child to make telephonic communication with his parents or guardians or relatives.

55. Death of a juvenile or child.

- On the occurrence of any case of death or suicide in an institution the procedure to be adopted shall be as under : -(a)in the event of an unnatural death or suicide of a juvenile or child in an institution, it is imperative on the part of the institution to ensure that an inquest and post-mortem examination is held at the earliest;(b)in case of natural death or due to illness of a juvenile or child, the Officer-in-charge shall obtain a report of the Medical Officer stating the cause of death and a written intimation about the death shall be given immediately to the nearest Police Station, the Board or Committee, the National or State Commission for Protection of Child Rights, District Child Protection Unit or State Child Protection Unit or any other concerned authority and the parents or guardians or relatives of the juvenile or child;(c)whenever a sudden or violent death or death from suicide or accident takes place, immediate information shall be given by the caseworker or probation officer or welfare officer to the Officer-in- Charge and the Medical Officer, and the Officer-in-Charge shall immediately inform the nearest police station, Board or Committee and parents or guardians or relatives of the deceased juvenile or child;(d)if a juvenile or child dies within twenty four hours of his admission to the institution, the Officer-in-charge of the institution shall report the matter to the Officer-in-charge of the Police Station having jurisdiction and the District Medical Officer or the nearest Government Hospital, as the case may be, and the parents or guardians or relatives of such juvenile or child without delay;(e)the Officer-in-charge shall also immediately give intimation to the nearest Magistrate empowered to hold inquests and to the Board or the Committee, as the case may be;(f)the Officer-in-Charge and the Medical Officer at the institution shall record the circumstances of the death of the juvenile or child and send a report to the concerned Magistrate, the Officer-incharge of the police station, having jurisdiction, the Committee and the District Medical Officer or the nearest Government hospital where the dead body of the juvenile or child is sent for examination, inspection and determination of the cause of death, and the Officerincharge and the Medical Officer shall also record in writing their views on the cause of the death if any, and submit it to the concerned Magistrate and the Officer-in-charge of the police station, having jurisdiction;(g)the Officer-in-charge and the Medical Officer shall make themselves available for any inquiries initiated by the police or the Magistrate concerning the cause of death and other details regarding such juvenile or child; and(h)as soon as the inquest is held, the body shall be handed over to the parents or guardian or relatives or in the absence of any claimant, the last rituals shall be performed under the supervision of the officer-in-charge in accordance with the known religion of the juvenile or child.

56. Exploitation of the juvenile or child.

(1)Every institution shall have system of ensuring that there is no abuse, neglect and maltreatment of a juvenile or child in the institution, and it shall make aware as to what constitutes abuse, neglect and maltreatment and provide indicators of abuse, neglect and maltreatment and how to respond to them.(2)In the event of any physical, sexual or emotional abuse, including neglect of juveniles and children in an institution by those responsible for care and protection, the following action shall be taken, namely:-(a)the incidence of abuse and exploitation must be reported by any staff member of the institution immediately to the Officer-in-charge on receiving such information;(b)when an allegation of physical, sexual or emotional abuse comes to the knowledge of the Officer-in-Charge, a

report shall be placed before the Board or Committee, who in turn, shall order for special investigation;(c)the Board or Committee shall direct the local police station or Special Juvenile Police Unit to register a case, take due cognizance of such occurrence and conduct necessary investigation;(d)the Board or Committee shall take necessary steps to ensure completion of the inquiry and provide legal aid as well as counselling to the juvenile or child victim;(e)the Board or Committee shall transfer such a juvenile or child to another institution or place of safety or fit person;(f)the Officer-in-charge of the institution shall also inform the Chairperson of the Management Committee and place a copy of the report of the incident and subsequent action taken before the Management Committee in its next meeting;(g)in the event of any other crime committed in respect of a juvenile or child in an institution, the Board or Committee shall take cognizance and arrange for necessary investigation to be carried out by the local police station or Special Juvenile Police Unit; and(h)the Board or Committee may consult Children's Committee setup in each institution to enquire into the fact of abuse and exploitation as well as seek assistance from the relevant voluntary organizations, child rights experts, mental health experts or crisis intervention centers in dealing with matters of abuse and exploitation of juveniles or children in an institution.

57. Juvenile or Child suffering from dangerous diseases or mental health problems.

(1)When a juvenile or a child placed under the care of a fit person or a fit institution as per the provisions of the Act, is found to be suffering from a disease or physical or mental health problems requiring prolonged medical treatment, or is found addicted to a narcotic drug or psychotropic substance, the juvenile or the child may be sent by an order of the competent authority to an appropriate place for such period, as may be certified by the medical officer to be necessary for proper treatment of the juvenile or the child or for the remainder of the term for which he has to stay.(2)When the juvenile or the child is cured of the disease or physical or mental health problems, the competent authority may, if the juvenile or child is still liable to stay, order the juvenile or the child to be placed back in the care of the fit person or institution from where the juvenile or child was taken for treatment and if, the juvenile or the child is no longer liable to be kept under the care of the fit person or institution, the competent authority may order him to be discharged.(3)The order of restoration of a juvenile or a child suffering from an infectious or contagious disease to his parents or guardian shall be based on the principle of best interest of the juvenile or the child, keeping in mind the risk of stigmatization and discrimination and discontinuation of treatment.(4)Where there is no organization either within the jurisdiction of the competent authority, or nearby District or State for care and protection of juveniles or children suffering from serious psychiatric or physical disorder and infection, the organization shall be set up by the State Government at such places, as it may deem fit to cater to the special needs of such juveniles or children.

58. Leave of absence of a juvenile or child.

(1)A juvenile or child in an institution may be allowed to go on leave of absence or released under supervision for examination or admission on special occasions like marriage or emergencies like death or accident or serious illness in the family.(2)While the leave of absence for short period

generally not exceeding seven days excluding the journey time may be recommended by the Officer-in-charge, but granting of such leave shall be by the Board or Committee, as the case may be.(3)The parents or guardian of the juvenile or the Officer-in-charge on behalf of the juvenile or child may submit an application to the Board or Committee requesting for relieving the juvenile or child on leave, stating clearly the purpose for the leave and the period of leave.(4)While considering the application of leave of absence, the Board or Committee shall hear the juvenile or child or the parents or guardians of the juvenile or child, and if the Board or Committee considers that granting of such leave is in the interest of the juvenile or child it shall make appropriate order and may call for a report from the probation officer or child welfare officer, in case the preliminary information gathered from the juvenile or child or concerned parent or guardian, is not sufficient for the purpose.(5)While issuing orders sanctioning the leave of absence or relieving under supervision, as the case may be, the competent authority shall mention the period of leave and the conditions attached to the leave order, and if any of these conditions are not complied with during the leave period, the juvenile or child may be called back to the institution.(6)The parent or guardian shall arrange to escort the juvenile or child from and to the institution and where this is not possible, the Officer-in-charge may arrange to escort the juvenile or child to the place of the family and back. In case, the parents or guardian is willing to arrange escort, but does not have requisite financial means, the Officer-in-charge shall arrange for the traveling expenses as admissible under the rules.(7)If the juvenile or child runs away from the family during the leave period, the parent or guardian is required to inform the Officer-in-charge of the institution immediately, and try to trace the juvenile or child and if found, the juvenile or child shall be brought back to the institution immediately.(8)If the juvenile or child is not found within twenty four hours, the Officer-in-Charge shall report the matter to the nearest police station and missing person's bureau, but no adverse disciplinary action shall be taken against the juvenile or child, and procedure laid down under the Act shall be followed.(9)If the parent or guardian does not take proper care of the juvenile or child during the leave period or does not bring the juvenile or child back to the institution within the stipulated period, such leave may be refused on later occasions.(10)If the juvenile or child does not return to the institution on expiry of the sanctioned leave, the Board or Committee shall refer the case to police for taking charge of the juvenile and bring him back to the institution.(11)The period of such leave shall be counted as a part of the period of stay in the institution and the time which elapses after the failure of a juvenile to return to the institution within the stipulated period, shall be excluded while computing the period of his stay in the institution.

59. Inspection Committee.

(1)The State Government may appoint Inspection Committees for children's homes for the State, a district or city, as the case may be, for a period of three years.(2)The Inspection Committee shall visit and oversee the conditions in the children's homes and appropriateness of the processes for safety, well being and permanence, review the standards of care and protection being followed by the said homes, look out for any incidence of violation of child rights, look into the functioning of the Management Committee and Children's Committee and give appropriate directions.(3)The Inspection Committee shall also make suggestions for improvement and development of the children's homes.(4)The Inspection Committee shall consist of a minimum of five members with representation from the State Government, the Board or Committee, the State Commission for the

Protection of Child Rights or the State Human Rights Commission, medical and other experts, voluntary organizations and reputed social workers.(5)The inspection shall be carried out at least once in every three months.(6)The inspection visit shall be carried out by not less than three members.(7)The team may visit the children's home either by prior intimation or make a surprise visit.(8)The team shall interact with the children during the visit to the children's home to determine their well-being and uninhibited feed back.(9)The follow up action on the findings and suggestions of the children shall be taken by all concerned authorities.(10)The action taken report, findings and suggestions from the Inspection Committee shall be sent to the District Child Protection Unit and the State Government.

60. Social Audit.

(1)The State Government shall monitor and evaluate the implementation of the Act annually by reviewing matters concerning establishment of Board or Committee or Special Juvenile Police Unit where required, functioning of Board or Committee or Special Juvenile Police Unit, functioning of institutions and staff, functioning of adoption agencies, child friendly administration of juvenile justice and any other matter concerning effective implementation of the Act in the State.(2)The social audit shall be carried out with support and involvement of organizations working in the field of mental health, child care and protection and autonomous bodies like the National Institute of Public Co-operation and Child Development, Indian Council for Child Welfare, Childline India Foundation, Central and State level Social Welfare Boards, School of Social Work and School of Law.

61. Restoration.

(1)The order for restoration of the juvenile or child shall be made by the Committee on the basis of a fair hearing of the juvenile or child and his parents or guardian, as well as on the reports of the Probation Officers or Child Welfare Officers or Non- Governmental organisations directed by the Committee to conduct the home study and any other relevant document or report brought before the Committee for deciding the matter.(2)The Committee shall send a copy of the restoration order along with a copy of the order for escort in Form XXII to the District Child Protection Unit or State Government who shall provide funds for restoration of the juvenile or child.(3)Every restoration shall be planned as part of the individual care plans prepared by the case-workers or counsellors or child welfare officers or probation officer, as the case may be, and shall be based on the review and recommendations of the Management Committee.(4)Besides police, the Committee shall seek collaboration with Non- Governmental organisations to accompany juveniles or children back to their family for restoration.(5)In case of girls, the juvenile or child shall necessarily be accompanied by female escorts.(6)The expenses incurred on restoration of a juvenile or child, including travel and other incidental expenses, shall be borne by the District Child Protection Unit or State Government.(7)When a juvenile or child expresses his unwillingness to be restored back to the family, the Committee shall make a note of it in its records in writing and such juvenile or child shall not be coerced or persuaded to go back to the family, particularly if the social investigation report of the Child Welfare Officer or Probation Officer establishes that restoration to family may not be in the best interest of the juvenile or child or, if the parents or guardians refuse to accept the juvenile or child back.(8)A follow-up plan shall be prepared as part of the individual care plans by the Child

Welfare Officers or Probation Officers or Non- Governmental organizations assigned by the Committee to assist in the restoration of the child.(9)A quarterly follow-up report shall be submitted to the Committee by the concerned Child Welfare Officer or Probation Officer or Non-Governmental organization for a period of two years with a copy to the officer-in-charge of the institution from where the juvenile or child is restored.(10)The follow-up report shall clearly state the situation of the juvenile or child post restoration and the juvenile s or child s needs to be met by the State Government in order to reduce further vulnerability of the juvenile or child.(11)The officer-in-charge shall file the follow-up report in the case-file of the juvenile or child and place the report before the Management Committee in its next meeting.(12)The officer-in-charge shall also send a copy of the follow-up reports to the District Child Protection Unit.(13)Where a follow-up is not possible due to unavailability of Government functionaries or Non-Governmental organisations, the concerned District Child Protection Unit shall provide necessary assistance and support to the concerned Committee.

62. Visitor's Book.

(1)A Visitor's Book shall be maintained, in every institution, in which the person visiting the home shall record the date of his visit with remarks or suggestions, which he may think proper.(2)The Officer-in-charge shall forward a copy of every such entry to the District Child Protection Unit or State Government, with such remarks as he may desire to offer in explanation or otherwise and thereon, the designated authority shall issue such orders, as it may consider necessary.

63. Maintenance of Registers.

- The Officer- in-charge shall maintain in his office, such registers and forms, as required under these rules and the list of registers or files or books to be maintained shall comprise of;(a)Admission and discharge register;(b)Supervision register;(c)Medical file or Medical Report;(d)Nutrition Diet file;(e)Stock Register;(f)Log Book;(g)Order book;(h)Meeting book;(i)Cash Book;(j)Budget Statement file;(k)Inquiry Report file;(l)Individual case file with individual care plan;(m)Children s Suggestion book;(n)Visitor s Book;(o)Staff movement Register;(p)Personal Belongings Register;(q)Minutes Register of Management Committee;(r)Minutes Register of Children s Committees; and(s)Attendance register for staff and juveniles or children.

64. Staff of a Home.

(1)The staff of a home shall be determined according to the duty, posts, hours of duty per day and category of children that the staff is meant to cater to.(2)The organizational set up of a home shall be fixed in accordance with its size, the capacity, workload, distribution of functions and requirements of programmes.(3)The whole-time staff in a home may consist of Officer-in-charge, Probation Officer (in case of Observation home or Special home), Case Workers (in case of Children's home or shelter home or after care organization), Child Welfare Officers, Counselor, Educator, Vocational Training Instructor, Medical Staff, Administrative staff, Care Takers, house father and house mother, child mentors, volunteers, store keeper, cook, helper, washer man, safai karamchari, gardener as required.(4)The part-time staff, shall include Psychiatrist, Psychologist, Occupational

therapist, and other professionals as may be required from time to time.(5)The staff of the home shall be subject to the control and overall supervision of the Officer- in charge, who by order, shall determine their specific responsibilities and shall keep the concerned authority informed of such orders made.(6)The duties and responsibilities of the staff under the Officer-incharge shall be fixed keeping in view the statutory requirements of the Act.(7)The Officer-in-charge and such other staff, who may be required, shall live in the houses provided to them within the premises of the home.(8)The number of posts in each category of staff shall be fixed on the basis of capacity of the institution; and the staff shall be appointed in accordance with the educational qualifications, training and experience required for each category.(9)The suggested staffing pattern for a home with a capacity of one hundred juveniles or children may be as mentioned below:-

Serial	Staff	Number of No. posts
1	Officer-in-Charge (Superintendent)	1
2	Counsellor	2
3	Probation Officer or Child Welfare Officer or CaseWorker	3
4	House Mother or House Father	4
5	Educator	2 (voluntary or part time)
6	Doctor	1(part time)
7	Paramedical staff	1
8	Store-keeper cum Accountant	1
9	Art and Craft cum Music Teacher	1 (part time)
10	Instructor cum Yoga Trainer	1
11	Driver	1
12	Cook	2
13	Helper	2
14	Housekeeping	2
15	Gardner	1(part time)

(10)The number of posts in the category of counsellor, case worker or probation officer, house father or house mother, educator, and vocational instructor, shall proportionally increase with the increase in the capacity of the home.(11)In case of institutions housing infants, provision for ayahs and paramedical staff shall be made as per the need.

Chapter VI

Miscellaneous

65. Recognition of fit persons or fit institution.

(1)Any individual who is willing temporarily to receive a juvenile or child in need of care, protection or treatment for a period, as may be necessary, may be recognized by the competent authority as a fit person after due verification of his credentials and reputation.(2)Any suitable place or institution,

the manager of which is willing temporarily to receive a juvenile or child in need of care and protection for a period, as may be necessary, may be recognized by the State Government as a fit institution on the recommendation of the competent authority.(3)An institution recognized as a fit institution shall,-(a)meet the standards of care laid down in the Act and the rules made there under;(b)have the capacity and willingness to meet the standards of care laid down in the Act and the rules made there under;(c)receive and provide basic services for care and protection of the juveniles and children;(d)prevent subjection of juvenile or child to any form of cruelty or exploitation or neglect; and(e)abide by the orders of the competent authority.(4)A list of fit institutions approved by the State Government shall be kept in the office of the Board and the Committee.(5)A fit institution with collateral branches may send the juvenile or child placed therein to any of its branches by an order of the competent authority after seeking its permission.(6)Before declaring any person as a fit person or recommending an institution as a fit institution, the competent authority shall hold due enquiry and only after being satisfied grants its recognition.

66. Certification or recognition and transfer of Management of institutions and after care organizations.

(1)Any organization desiring certification or recognition, as the case may be, under the Act, shall make an application together with a copy of each of the rules, bye-laws, articles of association, list of members of the society or the association running the organization, office bearers and a statement showing the status and past record of specialized childcare services provided by the organization, to the State Government, who shall after verifying the provisions made in the organization for the boarding and lodging, general health, educational facilities, vocational training and treatment services, may grant certification or recognition under sections 8, 9, 34, 37, 41 and 44 of the Act, as the case may be, on the condition that the organization shall comply with the standards or services as laid down under the Act and the rules framed there under, from time to time and to ensure an all round growth and development of juvenile or child, placed under its charge.(2)The application referred to in sub-rule (1), shall be made to the Deputy Commissioner or the District Programme Officer of the District or the Competent Authority, as the case may be, who shall, after due inquiry, send its recommendation to the State Government for granting recognition or certification.(3)The State Government may, transfer the management of any State run institution under the Act, to a voluntary organization of repute, who has the capacity to run such an institution; and certify or recognize the said voluntary organization as a fit institution to own the requisite responsibilities under a Memorandum of Understanding for a specified period.(4)The State Government may, if dissatisfied with the conditions, rules, management of the organization, certified or recognized under the Act at any time, by notice served on the manager of such organization, declare that the certification or recognition of the said organization, as the case may be, shall stand withdrawn from the date, as specified in the notice, and from such date, such organization shall cease to be an organization certified or recognised:Provided that the concerned organization shall be given an opportunity of making a representation in writing, within a period of thirty days from the date, of declaration against the grounds of withdrawal of certificate or recognition as the case may be.(5)The decision to withdraw or to restore such certification or recognition may be taken, on the basis of a thorough investigation made by an Advisory Board, constituted under section 62 of the Act.(6)On the report of the Advisory Board, the Officer- in- charge of the institution shall be asked to show

cause as to give an explanation within a period of thirty days.(7)When an organization ceases to be an organization as certified or recognised under sections 8, 9, 34, 37,41 or 44 of the Act, the juvenile or the child kept therein, shall be transferred to some other institution of repute, certified or recognized under sub-rule (1) or discharged in accordance with the provisions of the Act and the these rules relating to such transfer or discharge under intimation of such transfer or discharge, as the case may be, to the Board or the Committee.

67. Registration.

(1)All institutions and organisations running institutional or non-institutional care services for children in need of care and protection, whether run by the Government or voluntary organization, shall get themselves registered under sub-section (3) of section 34.(2)An institution or organization, as the case may be, shall make an application together with a copy of each of the rules, bye-laws, memorandum of association, list of governing body, office bearers, balance sheet of past three years, statement of past record of social or public service provided by the institution or organization, to the State Government, who shall after verifying, the provisions made in the institution or organization for the care and protection of the juveniles or children, for their health, education, boarding and lodging facilities, if any, vocational facilities and scope of rehabilitation, may issue a registration certificate to such organization or institution.

68. Grant in aid to certified or recognized organization.

(1)An organization certified or recognized or registered under sections 8, 9, 34, 37or 44 may, during the period when certification or recognition or registration is in force, apply to the State Government for grant in aid provided for the maintenance of juvenile under the provisions of the Act; and for expenses incurred on their education, treatment, vocational training, development and rehabilitation.(2)The grants-in-aid may be provided to an organisation at such rates, as may be sufficient to meet the prescribed norms, in the manner and subject to the conditions as may be mutually agreed to by such organization and the State Government.(3)In case of transfer of management of homes being run by the State Government, to a voluntary organization, the budget, which the State Government was spending on that home, shall be given to the voluntary organization as grant-in-aid under the Memorandum of understanding signed between both the parties describing their role and obligations.

69. Admission of outsiders.

(1)No stranger shall be admitted to the premises of the institution, except with the permission of the Officer- incharge of the institution or on order of the Board or Committee, as the case may be.(2)In special cases, where the parents or guardians have travelled a long distance from another State or District, the Officer-in-Charge of any institution ,shall allow such parents or guardians entry into the premises and allowing a meeting with their children, provided they possess proper identification, and are not reported to have subjected the juvenile or child to abuse or exploitation.

70. Identity Photos.

(1) On admission to a home established under the Act, every juvenile or child shall be photographed. (2) One photograph shall be kept in the case file of the juvenile or child, one shall be fixed with the index card, one shall be kept in an album serially numbered with the negative in another album and one photograph shall be sent to the Board or Committee, as the case may be, as well as to the District or the State Child Protection Unit. (3) In case of a child missing from an institution or in case of lost children received by an institution, a photograph of the child with relevant details shall be sent to the missing person's bureau and the local police station.

71. Police Officers to be in plain clothes.

- While dealing with a juvenile or a child under the provisions of the Act and the rules made there under, the police officer, except at the time of arrest, shall wear plain clothes and not the police uniform.

72. Prohibition on the use of handcuffs and fetters.

- No child or the juvenile in conflict with law dealt with under the provisions of the Act and the rules made there under, shall be handcuffed or fettered.

73. Procedure to be followed by a Magistrate empowered under the Act and by a Magistrate, not empowered under the Act.

(1) When any juvenile or child is produced before a Magistrate, and the Magistrate is of the opinion that such person is a juvenile or child, he shall record his reasons and send the juvenile or child to the appropriate institutions. (2) In case of a juvenile or a child, produced before a Magistrate not empowered under this Act, such Magistrate shall direct the case to be transferred to the Board for inquiry and disposal. (3) In case of a child in need of care and protection produced as a victim of a crime before a Magistrate, not empowered under the Act, such Magistrate shall transfer the matter concerning care and protection, rehabilitation and restoration of the child to the appropriate Committee.

74. Transfer.

(1) During the inquiry, if it is found that the juvenile or child hails from a place outside the jurisdiction of the Board or Committee, as the case may be, the Board or Committee shall order the transfer of the juvenile or child and send a copy of the order to the State Government or State or District Child Protection Unit. Provided that:-(a) such transfer shall only take place after the completion of evidence and cross examination that may be required in a legal proceeding involving a juvenile or child; and (b) the reasons for and circumstances of such transfer are recorded in writing. (2) The State Government or the State or District Child Protection Unit, after receipt of copy of the order passed under sub rule (1) shall, -(a) send the information of transfer to the appropriate

competent authority having jurisdiction over the area where the child is ordered to be transferred by the Board or Committee; and (b) send a copy of the information to the Officer-in-charge of the institution where the child is placed for care and protection at the time of the transfer order. (3) On receipt of copy of the information from the State Government or State or District Child Protection Unit, the Officer-in-charge shall arrange to escort the child at Government expenses to the place or person as specified in the order. (4) On such transfer, case file and records of the juvenile or child shall be sent along with the juvenile or child.

75. Procedure for sending a juvenile or child outside the jurisdiction of the competent authority.

(1) In the case of a juvenile or a child whose ordinary place of residence lies outside the jurisdiction of the competent authority and the competent authority considers it necessary to take action under section 50 of the Act, it shall direct a probation officer or case worker or child welfare officer, as the case may be, to make enquiries as to the fitness and willingness of the relative or other person to receive the juvenile or the child at the ordinary place of residence and to find out whether such relative or other fit person can take proper care and control of the juvenile or the child. (2) Where a juvenile or child is ordered to be sent to the ordinary place of his residence or to a relative or fit person, execution of a bond by the juvenile or child without any surety, in Form VI, is necessary along with an undertaking by the said relative or fit person in Form V or Form IX, as the case may be. (3) Any breach of a bond or undertaking or of both, given under subrule (2), shall render the juvenile liable to be brought before the competent authority, who may make an order directing the juvenile to be sent to an institution home. (4) Any juvenile or a child, who is a foreign national and who has lost contact with his family shall also be entitled for protection. (5) The juvenile or the child, who is a foreign national, shall be repatriated at the earliest to the country of his origin in co-ordination with the respective Embassy or High Commission. (6) The competent authority shall inform the Ministry of External Affairs about repatriation of every juvenile or child of foreign nationality for obtaining appropriate orders in this regard. (7) A copy of the order passed by the competent authority under section 50 of the Act, shall be sent to—(a) the probation officer or child welfare officer, who was directed to make enquiries under sub-rule (1); (b) the probation officer or child welfare officer, if any, having jurisdiction over the place where the juvenile or the child is to be sent; (c) the competent authority having jurisdiction over the place where the juvenile or the child is to be sent; and (d) the relative or the person, who is to receive the juvenile or the child. (8) During the pendency of the order under sub-rule (6), the juvenile or the child shall be sent by the competent authority to an observation home or children home as the case may be. (9) Where the competent authority considers it expedient to send the juvenile or the child back to his ordinary place of his residence under section 50 of the Act, the competent authority shall inform the relative or the fit person, who is to receive the juvenile or the child, and shall invite the said relative or fit person to come to the home, to take charge of the juvenile or the child on such date, as may be specified by the competent authority. (10) The competent authority inviting the said relative or fit person under sub-rule (9), may direct, if necessary, the payment to be made by the Officer-in-charge of the home of the actual expenses of the relative or fit person's journey both ways by the appropriate class and the juvenile's or child's journey from the home to his ordinary place of residence, at the time of sending the juvenile or the child. (11) If the relative or the fit person fails to come and take the charge

of the juvenile or child on the specified date, the juvenile or the child shall be taken to his ordinary place of residence by the escort of the observation home and in the case of a girl child at least one escort shall be a female.

76. Honorary or Voluntary Welfare Officers and Probation Officers.

- To augment the existing probation service, honorary or voluntary welfare officers and probation officers may be appointed from the voluntary organization and social workers found fit for the purpose by the competent authority and their services may also be co-opted into the implementation machinery by the orders of the competent authority.

77. Duties of the Officer-in-Charge of an institution.

(1) The Officer-in-charge of an institution shall have the primary responsibility of maintaining the institution and shall stay within the institution itself in the accommodation provided for his residence to be readily available as and when required by the juveniles or children and the staff, and in case, where an accommodation is not available in the institution, the Officer-in-charge shall stay at a place in close proximity to the institution, till such time, till accommodation is made available in such institution. (2) The general duties and functions of the Officer-in-charge shall include, - (a) complying with the provisions of the Act and the rules and orders made there under; (b) complying with the orders of the Board or Committee; (c) providing homely atmosphere of love, affection, care, development and welfare for juveniles or children; (d) maintaining minimum standards of care in the institution; (e) proper maintenance of buildings and premises; (f) security measures and periodical inspection, including daily inspection and rounds of the institution, proper storage and inspection of food stuffs as well as food being served; (g) supervision and monitoring of juveniles' or children's discipline and well being; (h) planning implementation and coordination of all institutional activities, programmes and operations, including training and treatment programmes or correctional activities as the case may be; (i) prompt action to meet emergencies; (j) ensuring accident and fire preventive measures within the institutional premises; (k) stand-by arrangements for water storage, power plant, emergency lighting; (l) careful handling of plants and equipments; (m) segregation of a juvenile or child suffering from contagious or infectious diseases; (n) observance and follow-up of daily routine; (o) filing of monthly report of juvenile or child in the case file; (p) organize local and national festivals in the institution; (q) organize trips or excursions or picnics for juveniles or children; (r) preparation of budget and control over financial matters; (s) allocation of duties to personnel; (t) supervision over office administration, including attending to personnel welfare and staff discipline; (u) prompt, firm and considerate handling of all disciplinary matters; (v) organize the meetings of the Management Committee and provide necessary support; (w) maintenance of all records and registers required under the Act and the rules and monthly verification of the same by the said Management Committee; (x) liaison, coordination and cooperation with the District Child Protection Unit or State Government as and when necessary; and (y) coordination with the legal officer in the District Child Protection Unit to ensure that every juvenile or child is legally represented and provided free legal aid and other necessary support or where the District Child Protection Unit has not been set up, services of the District or State Legal Services Authority, shall be made available.

78. Duties of a Probation Officer or Child Welfare Officer or Case Worker.

(1) Every probation officer or child welfare officer or case-worker shall carry out all directions given by the Board or Committee or the concerned authority and shall perform the following functions, duties and responsibilities namely:- (a) making social investigation of the juvenile or the child as per Form IV through personal interview and from the family, social agencies and other sources; (b) attending the proceedings of the Board or Committee and submitting reports as and when required; (c) clarifying problems of the juveniles or the children and dealing with their difficulties in institutional life; (d) participating in the orientation, monitoring, education, vocational and rehabilitation programmes; (e) establishing co-operation and understanding between the juvenile or the child and the Officer-in-charge; (f) assisting the juvenile or the child to develop contacts with his family and also providing assistance to family members; (g) developing a care plan for every child in consultation with the juvenile or the child and follow up its implementation; (h) participating in the pre-release programme and helping the juvenile or the child to establish contacts which can provide emotional and social support to the juveniles or the children after their release; (i) establishing linkages with voluntary workers and organizations to facilitate rehabilitation and social reintegration of the juveniles or the children and to ensure the necessary follow-up; (j) follow-up of the juveniles or the children after their release and extending help and guidance to them; (k) visiting regularly the residence of the juvenile or the child and also places of employment or school attended by such juvenile or child and submitting fortnightly reports in Form XXI; (l) accompanying the juveniles or the children where ever possible, from the office of the Board to observation home, special home, children's home or fit person, as the case may be; and (m) maintaining case file and such registers, as may be specified from time to time. (2) On receipt of information from the Police or Child Welfare Officer, under clause (b) of section 13 of the Act, the probation officer shall inquire into the antecedents and family history of the juvenile or the child and such other material circumstances, as may be necessary and submit a social investigation report as early as possible, in Form IV and form XIII, to the Board.

79. Duties of House Father or House Mother.

(1) The general duties, functions and responsibilities of a house father, house mother and other care takers shall be as the follows, namely; (a) handling the juvenile or the child with love and affection; (b) taking proper care and welfare of the juvenile or the child; (c) maintaining discipline among the juveniles or the children; (d) maintenance, of sanitation and hygiene; (e) implementing daily routine in an effective manner and ensuring children's involvement; (f) looking after the security and safety arrangements of the home; and (g) escorting the juveniles or the children, whenever they go out of the home.

80. Disqualification for officer-in-charge, probation officer or child welfare officer or case-worker, house father or house mother and other care givers and staff.

(1)The officer-in-charge, probation officer or child welfare officer or case-worker, house father or house mother and other care givers and staff, shall not employ a juvenile or child under their supervision or care and protection for their own purposes or take any private service from them.(2)Any report of physical, sexual or emotional abuse of a juvenile or a child in an institution or outside, by a caregiver, shall hold them liable for disqualification after due inquiry.

81. Training of Personnel.

(1)The State Government or the Officer-incharge shall provide for training of personnel of each category of staff, keeping in view their statutory responsibilities and specific job requirements.(2)The training programme shall include-(a)orientation and induction training of the newly-recruited staff;(b)refresher training courses and skill enhancement programmes for all care givers once a year; and(c)staff conferences, seminars and workshops.(3)The State Government with the help of the State Child Protection Unit, National Institute of Public Cooperation and Child Development and its Regional Centres, shall organize regular training and capacity building of personnel involved in the implementation of the Act and the rules made there under.

82. Selection Committee and its composition.

- There shall be constituted a Selection Committee by notification in the official gazette, for a period of five years, which shall consist of the following members, namely:-(a)Principal Secretary or Secretary to Government of Punjab, Department of Social Security and Women and Child Development - Chairperson;(b)Director of the Social Security and Women and Child Development - Member Secretary;(c)two representatives from the reputed Non-Governmental organization, working in the area of child welfare -Members;(d)two representatives from academic bodies concerned with social work, psychology, sociology, child development, education, law, criminology, who have experience of working on children's issues -Members; and(e)One representative from the State Commission for Protection of Child Rights -Member

83. Functions of the Selection Committee.

(1)(a)For selecting members of the Board or Committee, the Selection Committee shall take into consideration the applications received in this regard in response to a public advertisement made to this effect by the District or State Child Protection Unit or the State Government. The Selection Committee shall also consider the persons for selection, nominated by the Deputy Commissioners concerned, if any, along with the applications received in response to the said advertisement; and(b)The Selection Committee shall select a panel of names and recommend it to the State Child Protection Unit or State Government, as the case may be, for appointment as members of the Board or Committee.(2)In the event of any complaint against a member of the Board or Committee, as the case may be, the Selection Committee shall hold necessary inquiry and recommend termination of appointment of such member;(3)(a)the Selection Committee, at the time of recommending names for appointment as member of the Board or Committee, as the case may be, shall also prepare a panel of names for each Board or Committee to fill the vacancies, which may arise during the tenure of the Board or Committee;(b)in the event of a vacancy occurring in the Board or Committee, as the

case may be, the District Child Protection Unit shall inform the State Child Protection Unit or State Government, as the case may be, for filling up such vacancy; and(c)the State Child Protection Unit or State Government, shall fill such vacancies on the basis of the panel of names recommended by the Selection Committee.(4)The Selection Committee shall recommend names for constitution of the State or a District or a City Inspection Committees as required under section 35.

84. Openness and Transparency.

(1)All Children's homes shall be open to visitors with the permission of the Officer-in-charge or the Committee, as the case may be, who may consider appropriate to allow representatives of local self government, voluntary organizations, social workers, researchers, medicos, academicians, prominent personalities, media and any other persons as visitors, keeping in view the security, welfare and the interest of the children.(2)The Officer-in-charge shall encourage active involvement of local community in improving the conditions in the homes, if, the members of the community want to serve the institution or want to contribute through their expertise.(3)The Officer-in-charge shall maintain a visitors book and the remarks of the visitors given therein shall be considered by the advisory inspecting authority.(4)While visiting an institution, the visitors will not say or do anything that undermines the authority of the Officer-in-charge or is in contravention of the Act or rules or impinges on the dignity of the children.(5)The visitors may be allowed to visit observation homes and special homes with the permission of the competent authority.

85. Juvenile Justice Fund.

(1)There shall be a fund at the State level to be called the 'Juvenile Justice Fund' (herein after referred to as the Fund) for the welfare and rehabilitation of the juvenile or the child dealt with under the provisions of the Act.(2)The management and administration of the Fund shall kept under the control of the State Advisory Board.(3)In addition to donations, contributions or subscriptions coming under sub-section (2) of section 61, the State Government shall also make contribution to the Fund.(4)The Fund shall be applied,-(a)to implement the programmes for the welfare, rehabilitation and restoration of juveniles or children;(b)to pay grant-in-aid to Non-Governmental organizations;(c)to meet the expenses of State Advisory Board and its purposes; and(d)to do all other things that are incidental and necessary for the above purposes.(5)The assets of the Fund shall include all grants and contributions, whether recurring or non-recurring, received from the Central Government , the State Government or any other statutory or non statutory bodies set up by the Central or the State Government, as well as the voluntary donations, received from any individual or organization.(6)All withdrawals shall be made by cheques or requisitions, as the case may be, signed by the secretary-cum-treasurer, and in the case of amounts, exceeding rupees one thousand, they shall be duly signed by the secretary-cum-treasurer and a member of the Board of Management of the State Advisory Board, to be nominated by the State Advisory Board.(7)The regular accounts shall be kept of all money and properties, and all incomes and expenditure of the Fund shall be audited by a notified firm of Chartered Accountants, or any other recognized authority, as may be appointed by the State Advisory Board.(8)The firm or the authority, as the case may be, refereed to in sub-rule (7), shall also certify the expenditure from the Fund made by the secretary-cum-treasurer.(9)All contracts and other assurances shall be in the name of the State

Advisory Board and shall be its signed on behalf by the secretary-cum-treasurer and one member of the Board of the Management authorised by it.(10)The Board of Management shall invest for the time being the proceeds of sale or disposal of the property as well as any money or property not immediately required to be used to serve the objective of the Fund, in any one or more of the modes of investment authorised by law for the investment of trust moneys as the Board of Management may think proper.(11)The Board of Management may delegate to one or more of the members such of its powers, which in its opinion are of procedural arrangement.

86. Pending Cases.

(1)No juvenile or a child in conflict with law shall be denied the benefits under the Act and the rules made there under.(2)All pending cases which have not received a finality, shall be dealt with and disposed of in terms of the provisions of the Act and the rules made there under.(3)Any juvenile or a child in conflict with law, shall be given the benefits under the Act, and shall continue to be available to all those accused, who were juvenile or a child at the time of commission of an offence even if, they cease to be a juvenile or a child during the pendency of any inquiry or trial.(4)While computing the period of detention or stay or sentence of a juvenile or child in conflict with law, all period which such juvenile or child, has already spent in custody, detention, stay or sentence of imprisonment, shall be counted as a part of the period of stay or detention or sentence of imprisonment contained in the final order of the court or the Board.

87. Disposal of cases of juveniles in conflict with law.

- The State Government or the Board, as the case may be, may either suo motu or on an application made in this regard, review the case of a person or a juvenile in conflict with law, determine his juvenility in terms of the provisions of the Act and rule 10, and pass an appropriate order in the interest of the juvenile in conflict with law under section 64 of the Act, for the immediate release of the juvenile in conflict with law, whose period of detention or imprisonment has exceeded the maximum period provided, in section 15 of the said Act.

88. Disposal of records or documents.

- The records or documents in respect of a juvenile or a child or a juvenile in conflict with law shall be kept in a safe place for a period of seven years and no longer, and thereafter be destroyed by the Officer-in-charge or Board or Committee, as the case may be, by adopting due procedure for disposal of such records.

I

(see rule 37)Clothing, bedding, toiletries and other articles(1)A juvenile or child shall be provided with the minimum following articles which can be increased or decreased as per requirements:-Bedding

Serial No.	Article	Quantity to be provided per child
1	Towels	4 per Year
2	Cotton Bed Sheets	4 per 2 Year
3	Pillow (Cotton stuffed)	1 per 2 Year
4	Pillow Covers	4 per 2 Year
5	Woolen blankets	2 per 2 year
6	Cotton Durrý	2 per 2 year
7	Cotton Filled quilt	1 per 2 year
8	Mattress	1 per 2 year
9	Mosquito Net	1 per 2 year
Clothing for girls		
1	Skirts and Blouse or Salwar Kameez or Half Sari with blouses and petticoats	5 sets per year for girls depending on age and regional preferences
2	Banyans (1 Meter each)	6 per year for younger girls
3	Brassieres	6 per year for older girls
4	Panties (1 Metre Cloth each)	6 per year
5	Sanitary Towels	12 packs per year for older girls
6	Woolen Sweaters	2 in 2 years
7	Woolen Shawls	1 in 2 years
8	Jacket (Woolen)	1 in 2 years
9	Night Suit	2 in 2 years
10	Banyan Vest (Woolen)	2 in 2 years
Clothing for boys		
1	Shirts	5 sets per year
2	Shorts	5 sets per year for younger boys
3	Pants	5 sets per year for older boys
4	Vest	4 sets per year
5	Underwear	4 sets per year
6	Woolen Jerseys	2 in 2 years
7	Scarfs	2 in 2 years
8	Vest (Woolen)	2 sets per year
9	Jacket (Woolen)	1 sets per year
10	Kurta pajama	2 sets per year
Miscellaneous articles		
1	Slippers	1 pair per year
2	Shoes	2 pair per year

3	School Uniform	2 sets per year for children attending outside schools
4	School Shoes	1 pair per year for children attending outside schools
5	School Bag and Stationery	1 set per year for children attending outside schools
6	Handkerchiefs	6 per year

Note:(1)In addition to the clothing specified above, each child shall be provided, once in three years, with a suit consisting of one white shirt, one pair of Khaki shorts or pants, one pair of white canvas shoes and one blazer (for cold regions) for use during ceremonial occasions. In the case of girls it shall be one white half sari or one salwar kameez or one white skirt and one white blouse, a pair of white canvas shoes and a blazer (for cold regions).(2)In every hospital attached to the institution, where there is provision for in-patient cots, the following scale has to be followed:-Night clothing and bedding Scale for supply

1. Mattress----- One per bed per 3 years

2. Cotton Bed Sheets----- Four per bed per year

3. Pillows----- One per bed per two year

4. Pillow Covers----- Four per bed per year

5. Woollen blankets -----One per bed per 2 years

6. Pyjamas and loose shirts

(Hospital type for boys)----- 3 pairs per child per year

7. Skirts and blouses or salwar kameez for girls -----3 pairs per child per year

8. Cotton durry -----One per bed per three years,-

(3)(a)when a child is admitted as an in-patient in the institution Hospital, the Institution Doctor shall issue the in-patient with the hospital clothing, the clothes on body being preserved, duly washed and handed back, at the time of the child s discharge from the hospital;(b)each child shall be provided with Kit Box or a Locker, as per convenience and necessity; and(c)the Superintendent shall make arrangements for two-tier bed system in place of conventional cots, as per convenience and necessity.(4)Toiletry: Every resident of the Home shall be issued with oil, soap, and other material for in accordance with the following scales:Hair oil for grooming the hair----- 100 mili grams per monthToilet soap or carbolic soap----- 1 large bar per monthTooth paste and brush-----1 Brush per 3 months 50grams paste per

monthComb----- 1 per year;(a)For washing of cloth and towels, bed-sheet etc., the following scale may be followed:-(i)Washing Soap---- 1 soap for one month (125 gms)(ii)Whitening/bleaching agent to the extent required only for white clothing:Provided, that the hospital clothing shall not be mixed with other clothing at the time of washing and if necessary, the Superintendent can issue the above items separately for washing of hospital clothing; and(b)The children attending school outside the institution may be issued with one additional bar of washing soap (100 grams) per head per month for washing their school uniform.(5)The following items shall be provided for maintaining the Homes in a healthy and sanitary condition:-

Serial No.	Item	Scale of Supply
1	Broom Stick	25 to 40 Nos. per month depending the area of the institution
2	DDT spray	As per the institution Doctor's advice
3	Effective bugs killing agent	As required
4	Phenyl and cleaning acid (daily)	Depending on the area of lavatories to be cleaned as per institution Doctor's advice

II

(See rule 40)Nutrition and Diet Scale

Serial No.	Name of the articles of diet	Scale per head per day
1	Rice/Wheat/Ragi/Jowar	600gms, (700gms for 16-18 years age) of which at least 100gmsto be either Wheat or Ragi or Jowar
2	Dal/ Rajma/ Chana	120 grams
3	Edible Oil	25 grams
4	Onion	25 grams
5	Salt	25 grams
6	Turmeric	05 grams
7	Coriander seed power	05 grams
8	Ginger	05 grams
9	Garlic	05 grams
10	Tamarind/Mango powder	05 grams
11	Milk (at break fast)	150 grams
12	Dry Chilies	05 grams
13	Table Leaf/Non Leaf	100 grams/130 grams
14	Curd or Butter Milk	100 grams
15	Chicken once a week or eggs 4 days	115 grams
16		

	Jaggery and Ground Nut Seeds or Paneer (vegetarian only)	60 grams each (100 grams grams for paneer) once in a week
17	Sugar	40 grams
Following Items for 50 Children Per Day		
18	Pepper	25 grams
19	Jeer Seeds	25 grams
20	Black gramdal	50 grams
21	Mustard Seed	50 grams
22	Ajwain Seeds	50 grams
On Chicken Day For 10 Kg. of Chicken		
23	Garam Masala	10 grams
24	Kopra	50 grams
25	Khas Khas	150 grams
26	Ground nut oil	50 grams
For Sick Children		
27	Bread	500 grams
28	Milk	500 mili liters

Other Items

29 LP Gas for Cooking only

Instructions:(2)Variation in Diet(a)three varieties of dal i.e., Toor (Tuvvari), Moong (Green Gram) and Chana (Bengal Gram) may be issued alternatively;(b)potatoes shall be issued in lieu of vegetables once in a week;(c)leafy vegetables such as Fenugreek (Methi), Spinach (Palak), Sarson (Mustard leaves) or any other saag etc., may also be issued once in a week . If a kitchen garden is attached to any institution leafy vegetables, in addition to drumstick trees, curry leaves trees and coriander leaves, should be grown and issued and the Superintendent should try to issue variety of vegetables ;(d)the Superintendent may make temporary alternations in the scale of diet in individual cases when considered necessary from daily ration, the sick children shall be excluded from the day's strength ; and(e)on the following national and festival occasions , sweet dishes may be distributed to all the children at the Home at the rate fixed by the Government from time to time.

1. Republic Day (26th January)

2. Ambedkar s Birthday (14th April)

3. Independence Day(15th August)

4. Mahatma Gandhi s Birth Day (2nd October)

5. Children s Day (14th November)

6. Child Rights Day (20th November)

7. Dussehra (Vijayadasami)

8. Deepavali

9. Ramzan (Id-UI-Fitr)

10. Bakrid (Id-UI-Zuha)

11. Christmas (25th December)

12. Teez

13. Baisakhi

14. Birthday of Sh Guru Nanak Dev Ji

Other festival can also be included if, need be. Form-I[See rule 11(1)(c)]Supervision OrderWhen a Juvenile is placed under the care of a parent, guardian or other fit person/fit institutionProfile No. _____ of _____ 20 _____.Whereas (name of the juvenile/) has this day found to have committed an offence and has been placed under the care of (name) _____ (address) _____ on executing a bond by the said _____ and the Board is satisfied that it is expedient to deal with the said juvenile by making an order placing him/her under supervision.It is hereby ordered that the said juvenile be placed under the supervision of _____ probation officer/case worker, for a period of _____ subject to the following conditions.

1. That the juvenile along with the copies of the order and the bond executed by the said _____ shall be produced before the probation officer/case worker named therein _____.

2. That the juvenile shall be placed under the supervision of the aforesaid probation officer/ case worker.

- 3. That the juvenile shall reside at _____ for a period of _____.**
- 4. That the juvenile shall not be allowed to quit the district jurisdiction of _____ without the permission of the probation officer/case worker.**
- 5. That the juvenile shall not be allowed to associate with bad characters.**
- 6. That the juvenile shall live honestly and peacefully; and will go to school regularly and endeavour to earn an honest livelihood.**
- 7. That the juvenile shall attend the attendance centre regularly.**
- 8. That the person under whose care the juvenile is placed, shall arrange for the proper care, education and welfare of the juvenile.**
- 9. That the preventive measures will be taken by the person under whose care the juvenile is placed to see that the juvenile does not commit any offence punishable by any law in India.**
- 10. That the juvenile shall be prevented from taking narcotic drugs or psychotropic substances or any other intoxicants.**
- 11. That the directions given by the probation officer/case worker from time to time, for the due observance of the conditions mentioned above, shall be carried out.**

Dated this _____ day of _____ 20____.(signature)Principal Magistrate, Juvenile Justice Board• Additional, conditions, if any, may be inserted by the Juvenile Justice BoardForm-II[See rule 11(1)(d)]Order of detention under sub-section _____ of section of the Act.ToThe Officer in charge _____ Whereas on the _____ day of _____ 20____, _____ (name of the juvenile), son/ daughter of _____, aged _____, residing at _____ being found in Profile No. _____ to be juvenile in conflict with law/ section _____ is ordered by me _____ Principal Magistrate, Juvenile Justice Board under section _____ of Juvenile Justice Act, 2000 to be kept in the Observation Home/ Special Home/ _____ for a period of _____.This is to authorize and require you to receive the said juvenile; into your charge, and to keep him/her in the Observation Home/ Special Home/ _____ for the aforesaid order to be carried into execution according to

law. Given under my hand and the seal of Juvenile Justice Board This _____ day of _____ 20_____. (signature) Principal Magistrate, Juvenile Justice Board Encl: Copy of the judgment, if any, or order, particulars of home and case history and individual care plan, if any. Strike which is not required. Form-III [See rule 11(1)(e) and (5)] Order of Social Investigation/inquiry To The Probation Officer/ Case Worker/ Person in-charge of Voluntary Organization/ Case Worker Whereas a report/complaint under section _____ of the Juvenile Justice (Care and Protection of children) Act, 2000 has been received from _____ in respect of _____ (name of the juvenile), son/daughter of _____ approximate age _____ residing at _____, who has been produced before the Board. You are hereby directed to enquire into the social antecedents, family background and circumstances of the alleged offence by the said juvenile and submit your social investigation report on or before _____ or within such time as is allowed to you by the Board. You are also hereby directed to consult an expert in child psychology, psychiatric treatment or counselling for his expert opinion if necessary and submit such report along with your Social Investigation Report. Dated _____ this _____ day of _____ 20_____. (Signature) Magistrate, Juvenile Justice Board Form IV [See rules 11(5) and 77(1)(a) and (2)] Social Investigation Report No. _____ Submitted to the Juvenile Justice Board _____ (address). Probation Department/Concerned State Government Authority/Voluntary Organization _____ (Signature and Stamp) Profile No: Under section: Title of Profile: Police Station: Nature of offence charge:

Name	Religion
Father's Name	Caste
Permanent Address	Year of birth
Last address before apprehension	Age
	Sex

Previous institutional/case history and individual care plan, if any
Family

Members of family	Name	Age	Health	Education	Occupation	Monthly earning	Disabilities eg. social habits	Any other
Father								
Step Father								
Mother								
Step mother								
Siblings								
Any other legal guardian/relative								
If married, relevant particulars								
								Other
near relatives or agencies								
Interested								Attitude

towards religion normal and ethical code of the home etc.

_____ Social and economic status
 _____ Delinquency record of members
 of family _____ Present living conditions
 _____ Relationship between
 parents/ Parents and children especially with the juvenile under investigation
 _____ Other factors of importance, if any
 _____ Juveniles History Mental condition
 (Present and past) _____ Physical
 condition (Present and past)
 _____ Habits, interests (moral,
 recreational etc.) _____ Outstanding
 characteristics and personality traits _____ Companions and their
 influence _____ Truancy from home, if
 any _____ School (attitude towards school,
 teachers, class mates and vice-versa) _____ Work
 record (jobs held, reasons for leaving, vocational interests, attitude towards job or
 employers) _____ Neighbourh
 and neighbours report _____ Parent s attitude
 towards discipline in the home and child s
 reaction _____ Any other
 remarks _____

of Inquiry Emotional factors Physical condition Intelligence Social and economic factors Religious
 factors Suggested causes of the problems Analysis of the case including reasons for
 delinquency Opinion of experts consulted Recommendation regarding treatment and its Plan by
 Probation Officer Signature of the Probation Officer/Case Worker Form V[See rules 13(5) and
 74(2)] Undertaking/ Bond to be Executed by A Parent/ Guardian/relative/fit Person in Whose Care
 A Juvenile is Placed Whereas I _____ being the parent, guardian,
 relative or fit person under whose care _____ (name of
 the juvenile) has been ordered to be placed by the Juvenile Justice
 Board _____, have been directed by the said Board to execute an
 undertaking/ bond with surety in the sum of Rs. _____/- (Rupees _____) or
 without surety. I hereby bind myself on the said _____ being placed
 under my care. I shall have the said _____ properly taken care of and I
 do further bind myself to be responsible for the good behaviour of the
 said _____ and to observe the following conditions for
 a period of _____ years w.e.f _____ :-

1. That I shall not change my place of residence without giving previous intimation in writing to the Juvenile Justice Board through the Probation Officer/Case Worker.

- 2. That I shall not remove the said juvenile from the limits of the jurisdiction of the Juvenile Justice Board without previously obtaining the written permission of the Board.**
- 3. That I shall send the said juvenile daily to school/to such vocation as is approved by the Board, unless prevented from so doing by circumstances beyond control.**
- 4. That I shall send the said juvenile to an Attendance Centre regularly, unless prevented from doing so by circumstances beyond my control.**
- 5. That I shall report immediately to the Board whenever so required by it.**
- 6. That I shall produce the said juvenile in my care before the Board, if he/she does not follow the orders of Board or his/her behaviour is beyond control.**
- 7. That I shall render all necessary assistance to the Probation Officer /Case Worker to enable him to carry out the duties of supervision.**
- 8. In the event of my making default herein, I undertake to produce myself before the Board for appropriate action or bind myself, as the case may be, to forfeit to Government the sum of Rs. _____ (Rupees _____).**

Dated this _____ day of _____ 20____.Signature of person executing the Undertaking/Bond.(Signed before me)Magistrate, Juvenile Justice BoardAdditional conditions, if any, by the Juvenile Justice Board may be entered numbering them properly;(Where a bond with sureties is to executed

add)I/We _____ of _____ (place of residence with full particulars) hereby declare myself/ourselves as surety/sureties for the aforesaid _____ (name of the person executing the undertaking/bond) to adhere to the terms and conditions of this undertaking/bond. In case of _____ (name of the person executing the bond) making fault therein, I/We hereby bind myself/ourselves jointly or severally to forfeit to government the sum of Rs. _____ /-(Rupees _____) dated this the _____ day of _____ 20 _____ in the presence of _____

_____.Signature of Surety (ties)(Signed before me)Principal Magistrate, Juvenile Justice BoardForm VI[See rules 13(6) and 74(2)]Personal Bond by Juvenile/childPersonal Bond to be signed by juvenile/child, who has been ordered under clause _____ of sub-section _____ of section _____ of the Act.Whereas,

I _____ inhabitant of _____ (give full particulars such as house number, road, village/town, tehsil, district, state) _____ have been ordered to be sent back/restored to my native place by the Juvenile Justice Board/Child Welfare Committee _____ under section _____ of the Juvenile Justice (Care and Protection of Children) Act, 2000 on my entering into a personal bond under subrule _____ of rule _____ and sub-rule _____ of rule _____ of these Rules to observe the conditions mentioned herein below. Now, therefore, I do solemnly promise to abide by these conditions during the period _____. I hereby bind myself as follows: (1) That during the period _____, I shall not ordinarily leave the village/town/district to which I am sent and shall not ordinarily return to _____ or go anywhere else beyond the said district without the prior permission of the Board/Committee. (2) That during the said period, I shall attend school/ vocational training in the village/town or in the said district to which I am sent. (3) That in case of my attending school/ vocational training at any other place in the said district, I shall keep the Board/Committee informed of my ordinary place of residence. I hereby acknowledge that I am aware of the above conditions which have been read over/ explained to me and that I accept the same. (Signature or thumb impression of the juvenile/child) Certified that the conditions specified in the above order have been read over/ explained to (Name of juvenile/child) _____ and that he/she has accepted them as the conditions upon which his/her period of detention/ placement in safe custody may be revoked. Certified accordingly that the said juvenile/child has been released/relived on the _____. Signature and Designation of the certifying authority i.e. Officer-in-charge of the institution Form VII [See rule 15(10)] Discharge Order I _____ name and designation of the discharging authority _____ State Government/ Union Territory Administration, do by this order permit _____ son/ daughter of _____ residence _____ Profile Number _____, who was ordered to be detained/placed in a observation home/special home/after care home by the Juvenile Justice Board _____ under section _____ of the Juvenile Justice (Care and Protection of Children) Act 2000, for a term of _____ on the _____ day of _____ 20_____, and who is now in the _____ home, at _____ to be discharged from the said _____ home and supervision and the authority of _____ during the remaining period of stay. This order is granted subject to the conditions hereon, upon the breach of any of which, it shall be liable to be revoked. Dated _____ Place: _____ Signature and Designation of Releasing Authority Conditions:

1. The discharged person shall proceed to _____ and live under the supervision and authority of _____ until the expiry of the period of his/her detention unless the remission is sooner cancelled.

2. He/She shall not, without the consent of the _____ remove himself/herself from that place or any other place, which may be named by the said _____.

3. He/she shall obey such instructions as he/she may receive from the said _____ with regard to punctual and regular attendance at school/vocation or otherwise.

4. He/She shall attend the Attendance Centre located at _____ regularly.

5. He/She shall abstain from committing any offence and shall lead a sober and industrious life to the satisfaction of _____.

6. In the event of his/her committing a breach of any of the above conditions the remission of the period of detention hereby granted, shall be liable to be cancelled and on such cancellation, he/she shall be dealt with under sub section (3) of section 59 of the Juvenile Justice (Care and Protection of Children) Act, 2000 (56 of 2000).

I hereby acknowledge that I am aware of the above conditions, which have been read over/explained to me and that I accept the same. (Signature or mark of the released juvenile) Certified that the conditions specified in the above order have been read over/explained to (Name of juvenile/child) _____ and that he/she has accepted them as the conditions upon which his/her period of detention may be revoked. Certified accordingly that the said juvenile/child has been discharged on the _____. Signature and Designation of the certifying authority i.e. Officer-in-charge of the institution Form VIII [See rule 24(17)] Supervision Order When the Child is placed under the care of a parent, guardian or other fit person Case No. _____ of _____ 20 _____. Whereas (name of the child) _____ has this day been found to be in need of care and protection, and has been placed under the care and supervision of (name) _____ (address) _____ on executing a bond by the said _____ and the Committee is satisfied that it is expedient to deal with the said child by making an order placing him/her under supervision. It is hereby ordered that the said child be placed under the supervision of (name) _____ (address) _____ for a period of _____ subject to the following conditions that:-(1) the child along with the copies of the order and the bond, if any, executed by the said _____ shall be produced before the Committee as and when required by the person executing the bond; (2) the child shall be placed under the supervision of the aforesaid parent/guardian/fit person; (3) the child shall reside at _____ for a period of _____; (4) the child shall not be allowed to quit the district jurisdiction of _____ without the permission of the Committee; (5) the child shall go

to school regularly and endeavour to earn an honest livelihood;(6)the person under whose care the child is placed shall arrange for the proper care, education and welfare of the child;(7)the child shall not be allowed to associate with undesirable characters and shall be prevented from coming in conflict with law;(8)the child shall be prevented from taking narcotic drugs or psychotropic substances or any other intoxicants; and(9)the directions given by the Committee from time to time, for the due observance of the conditions mentioned above, shall be carried out.Dated

this _____ day of _____ 20 _____ (Signature)Chairperson, Child

Welfare CommitteeAdditional conditions, if any may be interested by the Child Welfare

CommitteeForm IX[See rules 24(17) and 74(2)]Undertaking by the Parent, Guardian or `fit Person

to Whomchild is RestoredI _____ resident of House no.

_____ Street

_____ Village/Town _____ District

_____ State _____ do hereby declare that I am willing to take

charge of (name of the child) _____ Aged _____ under the

orders of the Child Welfare Committee _____ subject to the following terms and

conditions:-(1)If his/her conduct is unsatisfactory, I shall at once inform the Committee.(2)I shall

do my best for the welfare and education of the said child as long as he/she remains in my charge

and shall make proper provision for his/her maintenance.(3)In the event of his/her illness, he/she

shall have proper medical attention in the nearest hospital.(4)I undertake to produce him/her

before the competent authority as and when required.Date thisday of

.....SignatureSignature and address of witness (es)(Signed before me)Chairperson, Child

Welfare CommitteeForm X[see rule 24(18)]Order of Short Term Placement Pending InquiryName

of the child :Sex :Age :Father s Name :Mother s Name :Address :Date of receiving by

Organization/Institution :Produced by :This is to authorize and direct you to receive the said child

in your charge, and keep her/him in the Shelter Home/Children s home for care and protection

under sub-section (1) of section 33 of the Juvenile Justice (Care and Protection of Children) Act,

2000(56 of 2000).Next Date:(Signature)Chairperson/ MemberChild Welfare CommitteeForm

XI[See rule 24(19)]Order of Restoration of a Child to an InstitutionToThe Officer-in-chargeWhereas

on the _____ day of _____ 20 _____ (name of the

child) _____, son/daughter of

_____ aged _____ residing at _____ being in

care and protection under section 33(4) of the Juvenile Justice (Care and Protection) Act, 2000 is

ordered by the Child Welfare Committee _____, to be kept in the

Children s Home/ Shelter Home _____ for a period

of _____.This is to authorize and require you to receive the said child in your charge, and to

keep him/her in the Children s Home/ Shelter Home _____ for

the aforesaid order to be carried into execution according to law.Given under my hand and the seal

of Child Welfare Committee.This _____ day of _____

20.(signature)Chairperson/ MemberChild Welfare CommitteeEncl:Copy of the orders, particulars of

home and previous record, case history and individual care plan, whichever is

applicable.Form-XII[see rule 25(1)]Order for EnquiryToChild Welfare Officer/Person in-charge of

Voluntary Organization/Social Worker/Case

Worker _____.Whereas a report under section _____ of the

Juvenile Justice (Care and Protection of children) Act, 2000 has been received from

_____ in respect of (name of the child)_____, aged (approximate)_____, son/daughter of _____ residing at _____, who has been produced before the Committee under section _____ of the Juvenile Justice (Care and Protection of Children) Act, 2000 (56 of 2000). You are hereby directed to enquire into the social and family background of the said child and submit your inquiry report on or before _____ or within such time, as is allowed to you by the Committee. You are also hereby directed to consult an expert in child psychology, psychiatric treatment or counselling for his expert opinion, if necessary and submit such report along with your Inquiry Report. You are hereby directed to enquire into the character and social antecedents of the said juvenile and submit your social investigation report on or before _____ or within such time, as is allowed to you by the Committee. Dated _____ this _____ day of _____ 20_____. (signature) Chairperson/Member Child Welfare Committee Seal Form XIII [See rules 25(3), 30(3)(c), (g) (ii) and (4)(f)] Format for Inquiry Report Serial. No _____ Produced before the Child Welfare Committee _____ (address). Case No. _____ Concerned Government Department/ Voluntary Organisation Category of child in need of care and protection.

Name	Religion
Father's Name	Caste
Permanent Address	Year of birth
Last address before apprehension	Age
	Sex

Previous institutional/case history and individual care plan, if any
Family

Members of family	Name	Age	Health	Education	Occupation	Monthly earning	Disabilities	Any other eg. social habits
Father								
Step Father								
Mother								
Step mother								
Siblings								
Any other legal guardian/relative								
If married, relevant particulars							Other	
near relatives or agencies	Interested							Attitude
towards religion, normal and ethical code of the home etc.							Social and economic status	
							Delinquency record of members of family	
							Present living conditions	
							Relationship between parents / Parents and children especially with the said child	
								Other factors of importance, if any

_____ Child's History Mental condition (Present and past) _____ Physical condition (Present and past) _____ Habits, interests (moral, recreational etc.) _____ Outstanding characteristics and personality traits _____ Companions and their influence _____ Truancy from home, if any _____ School (attitude towards school, teachers, class mates and vice-versa) Work record (jobs held, reasons for leaving vocational interests, attitude towards job or employers) _____ Neighbourhood and neighbors report _____ Parent attitude towards discipline in the home and child's reaction _____ Any other remarks _____ Result of Inquiry Emotional factors Physical condition Intelligence Social and economic factors Religious factors Reasons for child's need for care and protection Opinion of experts consulted Recommendation of Child Welfare Officer/Case Worker/Social Worker regarding psychological support, rehabilitation and reintegration of the child and suggested plan Signature of the Child Welfare Officer/Case Worker/Social Worker Form XIV [See rule 30(3)(c)] Order for Declaring Child Legally free for Adoption

1. In exercise of the powers vested in the Child Welfare Committee _____ constituted under sub-section _____ of section _____ of the Juvenile Justice (Care and Protection of Children) Act, 2000 and sub-rule _____ of rule _____ of these rules, minor _____ born on (date) _____ placed in custody of Specialised Adoption Agency (name and address) _____, vide order _____ dated _____ of the Chairperson, Child Welfare Committee _____, has been declared legally free for adoption on the basis of details furnished through,-

(a) Inquiry/home study conducted by Child Welfare Officer/Social Worker/Case Worker; (b) Document of surrender executed by the parent(s) and surrender deed signed in the presence of the Committee under sub-rule _____ of rule _____ of these rules; and (c) Declaration submitted by the Specialised Adoption Agency under subrule _____ of rule _____ of these rules.

2. _____ (name of the Specialised Adoption Agency) shall fulfill all conditions specified in Juvenile Justice (Care and Protection of Children) Act, 2000 and the rules relating thereto and furnish a copy of adoption decree/guardianship order in respect of the minor as may be required by the Committee and the concerned Department of the Punjab State Government.

Date:Place:Chairperson/MemberChild Welfare CommitteeFor completion by the Specialised Adoption Agency.(a)I have read and understood Chapters III and IV of the Juvenile Justice (Care and Protection of Children) Act, 2000 and the rules framed thereunder and agree to abide/be bound by the same while placing the said minor in adoption.(b)I further declare that the particulars stated in the declaration submitted by me on _____ are true and correct. In case, they are found to be false or incorrect, the Committee has right to suspend this Release Order for (name of the minor) _____ and ask for production of said minor before the Committee.Date:Place:Child Welfare Officer/Social WorkerForm XV[See rule 30(4)(c)]Deed of SurrenderI _____ d/o or s/o _____ residing at _____ am not in a position due to social reasons/ due to being single/ ill/ disabled to take care of my child (name, if any) _____ approximate age _____ years.I am explained the consequences of surrendering my child by the Child Welfare Officer/Social Worker (name) _____ and the Child Welfare Committee _____. In full knowledge of all these facts, I am surrendering my child before the Committee today, dated _____. Within two months from this stated date, if I do not revise my decision to take back my child and do not approach the said Committee for the same, the Committee shall declare my child legally free for adoption and I shall have no further claim on my child.Signature of parent/guardianDateThat I _____ Child Welfare Officer/Social Worker have explained the procedure and the consequences of surrendering the child to the concerned parent/guardian on (date) _____.Signature of Child Welfare Officer/Social WorkerDate(Signed before me)Chairperson/ MemberChild Welfare CommitteeForm XVI[See rule 32(3)]Foster Carer's Assessment

1. Agency Details

Name of the AgencyAddressTelephoneFaxE-mailName of the Social WorkerTelDate _____ (Form Completed)

2. Details of the Applicant

SurnameFull NameDate of BirthReligionLanguage(s) spoken at Home Occupation(a)Nature of Work; and(b)Hours of WorkAddressTelephone

3. Description of a preferred child

The type of child, the foster-carer would consider(To be filled after a full discussion with the Foster-carer)Age Range Under 2 years 3-6 years 7-12 years 13-15 years 16-18 years

Serial No. Type of placement Duration

- (i) Pre adoption
- (ii) Emergency
- (iii) Short term
- (iv) Assessment

(v) Long term

The child, an applicant can care for (Please Tick) A child who is, - (i) Neglected; (ii) Orphaned; (iii) With Physical impairment; (iv) Mental impairment; (v) Hearing impairment; (vi) Speech impairment; (vii) Special Education needs; (viii) Learning difficulties; (ix) Physical abuse; (x) Sexual abuse; (xi) Who does not relate easily; (xii) Who needs control/may defy authority; (xiii) Born of rape/incest; (xiv) Who's parent(s) suffering from disease; (xv) Whose parent(s) is HIV positive; (xvi) Whose parent(s) are AIDS patient; (xvii) Whose parent(s) are alcoholic; (xviii) Drug addicts; (xix) Are in jail; (xx) Relinquished; (xxi) Belong to another caste; (xxii) Are of different religion;

4. Profile of the family

Brief Family
Profile

Name	Gender	Approximate Age	Occupation	Education	Relationship with the applicant
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(Give details of personalities, family life, experiences etc. Also highlight specific qualities of the family that can match with a child's needs. The details should facilitate initial identification of a potential match with a specific child.) Accommodation (House) (Details of type, size, own/ rented space, amenities etc.) Neighborhood (Details of composition, amenities and facilities, public transport etc.)

5. Verification of applicant's identity

Place of residence Period of stay Nationality Marital status (date/length of marriage) Has either of the applicant had a previous marriage? Details If children from previous marriage? Details Specify documents seen with date

6. Career History

(Details of education, employment, voluntary work, part time work, leisure activities)

7. Agency Inquiries:

Medical check Police check Employer

8. Personal references (from 2 persons)

This section to be completed after interviews with two references; information gathered through these interviews should include, - (a) Length of time known; (b) Relationship to the applicant; (c) Provide evidence on the applicants ability to perform the tasks involved in

_____;(d)Caring for children;(e)Providing a safe and caring environment;(f)Applicant as a neighbor;(g)Interests, talents, personality; and(h)Assessment of the social worker for these references.Home Study ReportA Home Study Report of the foster carer(s) being a crucial document being prepared by the social worker of the Specialised Adoption Agency based on the information collected by the format given above should broadly include the following information:(a)Social status and family background;(b)Description of the home;(c)Standard of living as it appears in the home;(d)Current relations amongst the members in the home;(e)Status of development of the children already in the home;(f)Employment and economic status;(g)Health details;(h)Details of facilities of education, medical, vocational trainings available in the neighborhood;(i)Reasons for wanting a child in foster care;(j)Attitudes of the grandparents and other relatives;(k)Anticipated plans for the foster child;(l)Legal status of the foster carer(s); and(m)Willingness to undergo training.Details Of Applicant(S)

1. Background:

Family structure with details of parents and siblings, significant details of other family members, childhood experiences, etc.

2. Relationships:

If couple Length of married life, what qualities does each applicant bring to the partnership, what makes the relationship positive for each other? Within the relationship how do applicants cope with problems/stress/anger? How do applicants support each other? What is each applicant s assessment of how the foster placement will affect his or her relationship?

3. Decision making:

How is decision making exercised in this relationship and how does each of the applicants view this? Is there wider extended family involvement in the couple s decision-making process? If so, how will this affect the child to be placed? What are the strengths and vulnerabilities of this partnership?(a)Children;(b)Children and their parents relationships; and(c)Children s attitude and readiness for a foster placement sibling. Describe each child and their temperament, any special talent and need, how children have been involved in preparation.

4. Applicants support networks:

Give a general picture of support systems currently used by the applicants including extended family, friends, neighbors, religious activities, community groups etc. include details of the location etc.

5. Other significant members of the family:

Living in the house or not. Their relationship to the applicants, how much time they spent within the home, their attitude to the proposed placement? How important is their acceptance of placement to the applicant.

6. Description of the family life style:

Outline what family considers important e.g. how important are religious and cultural practices. How is affection showed in the family? How do the members spend their time? What expectations family members have with regard to personal space? What value is placed on education/hobbies and leisure activities that the whole family undertakes?

7. Parenting capacities:

Experience of the applicants of caring and working with children. Describe their adjustment to parenthood. What is their understanding of how children develop? Using their own childhood experiences what patterns of parenting would they repeat and what would they change? What is their understanding of their own parenting strengths/potentials and about their parenting skills to meet the needs of individual child. To what extent they would expect other family members to be involved in parenting of their children/placed children. How will they ensure that a child will be safe from physical sexual abuse in their family and within wider support networks?

8. Managing Unacceptable Behaviour:

What are the rules in the household? How do the applicants show approval/disapproval? What are discipline measures they use? Their attitude towards punishment? What do they anticipate would be the issues and difficulties for themselves for their own children and for their support network? What do they anticipate would be the issues and difficulties for the child? Which changes do they anticipate would need in their lifestyle? Social workers assessment: It should provide an analysis of all the information collected through the format and its significance with regard to the capacity of the applicant to carry out fostering task. (What skills do the applicants have in relating to and working with children? How well will the applicant work with the agency, with biological parents? What are the strengths and resources of the applicants and which are the areas where they may experience difficulty? Also the point of disagreement between the social worker and the applicants should be recorded here) Recommendations of the Child Welfare Officer/Social

Worker (Signature) Form XVII [See rule 31(1)] Order of Foster Care Placement The child (name and address) _____ approximate age _____ d/o or s/o
Mr. _____ and Mrs. _____ or Ms. _____ is in need of care and protection of a family. Mr. _____ and Mrs. _____ or Ms. _____ resident of (complete address and contact numbers) _____ is/are declared fit person/persons for foster-care placement of the child based on the home study report of the Child Welfare Officer/Social Worker

Ms./ Mr. _____ of the organization (address) _____. The child (name) _____ is placed in foster care for a period of _____ (days/ months), under the supervision of the aforesaid Child Welfare Officer/Social Worker (name and contact) _____. Chairperson/ Member Child Welfare Committee Mr. _____ and Mrs. _____ or Ms. _____

Form XVIII[See rule 33(5)]Order of Sponsorship PlacementThe juvenile/child (name and address) _____ approximate age _____ d/o or s/o Mr. _____ and Mrs. _____ or Ms. _____ has been identified by the State/ District Child Protection Unit as a juvenile/child at risk needing urgent care and protection. On the basis of the Inquiry Report submitted by the State/District Child Protection Unit/ Child Welfare Officer/ Social Worker it is established that the said juvenile/child needs sponsorship support for education/ health/ nutrition/ other developmental needs _____ (please specify). The State/District Child Protection Unit is hereby directed to release Rs. _____ per month/ Rs. _____ as one time sponsorship support to the said juvenile/ child for a period of _____ (days/month) and carryout necessary follow up. The State/District Child Protection Unit is also directed to clearly lay down the terms and conditions for sponsorship support and follow up. Principal Magistrate, Juvenile Justice Board/Chairperson/Member, Child Welfare Committee Copy to: State/District Child Protection Unit or concerned Department of the State Government Form XIX[See rule 34(3)]Order of After Care PlacementThe juvenile/child (name) _____ d/o or s/o _____ has/ will be completing 18 years of age on (date) _____. She/ he is still in need of care and protection for the purpose of rehabilitation and reintegration. She/he is placed in (name of organization) _____ for providing aftercare. The In-charge of the Organization is directed to admit the child and provide all possible opportunities for her/ his rehabilitation and reintegration in its truest sense. The person shall be provided all these opportunities maximum till the age of 21 years only or till reintegration in the society, whichever is earlier. The In-charge will send half yearly report on the status of the child/youth to the Child Welfare Committee. The State/District Child Protection Unit is hereby directed to arrange for aftercare for the said juvenile/child for a period of _____ (days/month) and carryout necessary follow up. The State/District Child Protection Unit is also directed to clearly lay down the terms and conditions for aftercare programme and carry out necessary follow up. Principal Magistrate, Juvenile Justice Board/Chairperson/Member, Child Welfare Committee Copy to: State/District Child Protection Unit or concerned Department of the State Government Form XX[See rule 46(9) and 50(1)(t)]Case History form for Children in Need of Care and Protection

Case/Profile No. _____ Affix a latest Photograph here
Date of Time _____

A. Personal Data

1. Name

2. Male / Female (tick the appropriate category)

3. (a) age at the time of admission

(b)present age:

4. Category:

- Separated from family- Abandoned/deserted- Victim of exploitation and violence (give detail)-
Run-away- Any other

5. Religion Hindu (Other Cast/Backward Classes/Scheduled Caste/Schedule

Tribe/Muslim/Christian/Other (please specify)

6. Location of Residence Urban/Sub-urban/Rural/Slum/

Industrial/Other (Please specify)

7. Native District and State:

8. Description of the Housing:

(a)Concrete building Tiled House/Hut/On the street/Others (please specify);(b)Three bed
room/two-bed room/one-bed room/no separate bed room;(c)Owned/rental

9. By whom the juvenile was brought before the Child Welfare Committee

(a)Police-Local Police/Special Juvenile Police Unit/Railway Police/ Women Police(b)Probation
Officer(c)Social Welfare Organization(d)Social Worker(e)Parent(s)/Guardian (s) (please specify the
relationship)(f)Child himself/herself

10. Reasons for leaving the family

(a)Abuse by parent(s)/guardian(s)/step parents(s)(b)In search of employment(c)Peer group
influence(d)\Incapacitation of parents(e)Criminal behaviour of parents(f)Separation of
Parents(g)Demise of parents(h)Poverty(i)Others (please specify)

11. Types of abuse met by the child

(a) Verbal abuse parents/siblings/ employers /others (please specify) (b) Physical abuse (c) Sexual abuse parents/siblings/ Employers/others (Please specify) (d) Others parents/siblings/ employers/others (please Specify)

12. Types of ill-treatment met by the child.

(a) Denial of food parents/siblings employers/other (please specify) (b) Beaten mercilessly parents/ Siblings/employers/other (please specify) (c) Causing injury parents/ siblings/employers/other (please specify) (d) Others (please specify) parents/ siblings/ employers/others (please specify)

13. Exploitation faced by the child

(a) Extracted work without payment (b) Little (low) wages with longer duration of work (c) Others (please specify)

14. Health status of the child before admission

(a) Respiratory disorders - present / not known / absent (b) Hearing impairment - present / not known / absent (c) Eye diseases - present / not known / absent (d) Dental disease - present / not known / absent (e) Cardiac diseases - present / not known / absent (f) Skin disease - present / not known / absent (g) Sexually transmitted diseases - present / not known / absent (h) Neurological disorders - present / not known / absent (i) Mental handicap - present / not known / absent (j) Physical handicap - present / not known / absent (k) Others (please specify) - present / not known / absent

15. With whom the child was staying prior to admission

(a) Parent(s) Mother / Father / Both (b) Guardian(s) Relationship (c) Friends (d) On the street (e) Night shelter (f) Orphanages / Hostels/ Similar Homes (g) Other (please specify)

16. Visit of the parents to meet the child

(a) Prior to institutionalization - Frequently / Occasionally / Rarely / Never (b) After institutionalization - Frequently / Occasionally / Rarely / Never

17. Visit of the child to his family

(a) Prior to institutionalization Frequently / Occasionally / Rarely / During festival times / During summer holidays / Whenever fallen sick / Never (b) After institutionalization Frequently / Occasionally / Rarely / During festival times / During summer holidays/ Whenever fallen sick /

Never

18. Correspondence with parents -

(a) Prior to institutionalization Frequently / Occasionally / Rarely / During festival times / During summer holidays / Whenever fallen sick / Never (b) After institutionalization Frequently / Occasionally / Rarely / During festival times / During summer holidays / Whenever fallen sick / Never B Childhood History (up to the age of 12 years)

19. Diet of mother during pregnancy:

(a) Taken nutritious diet (b) Ordinary diet (c) Inadequate food intake

20. Health during pregnancy

(a) Mother infected with contagious diseases (b) Mother consumed/ used contraceptives (c) Intake of antibiotics (d) No such details available

21. Birth details

(a) Normal delivery/ prolonged delivery/ caesarian (b) Under weight/ normal weight/ over weight

22. Details of immunization provided

23. Details of handicap

(a) Hearing impairment By birth/ After accident/ diseases (b) Speech impairment By birth/ After accident/ diseases (c) Physical handicap By birth/ After accident/ diseases (d) Mental handicap By birth/ After accident/ diseases (e) Others (please specify) C. Family Details:

24. Household Composition:

Serial No. Name and Relationship Age Sex Education Occupation Income

1 2 3 4 5 6 7

Health History of Mental illness Handicap Habit Socialization

8 9 10 11 12

25. Type of family:

Nuclear family / joint family/ broken family

26. Relationship among the family members:

- (a) Father and mother Cordial/ Non cordial/ Not known
- (b) Father and child Cordial/ Non cordial/ Not known
- (c) Mother and child Cordial/ Non cordial/ Not known
- (d) Father and siblings Cordial/ Non cordial/ Not known
- (e) Mother and siblings Cordial/ Non cordial/ Not known
- (f) Juvenile and siblings Cordial/ Non cordial/ Not known

27. History of crime committed by family members:

Serial No.	Relationship	Nature of crime	Arrest if any made	Period of Confinement	Punishment awarded
1	Father				
2	Step father				
3	Mother				
4	Step mother				
5	Brother				
	(a)				
	(b)				
	(c)				
	(d)				
6	Sister				
	(a)				
	(b)				
	(c)				
	(d)				
7	Child				
8	Others				
	(uncle/aunty/ grandparents)				

28. Properties owned by the family

(a)Landed properties (please specify the area)(b)Household articles- Cows/ Cattle/ Bull(c)Vehicles- two wheeler/three wheeler/four wheeler (lorry/bus/car/tractor/jeep)(d)Others (please specify)

29. Marriage details of family members

- (a) Parents Arranged/ Special Marriage/ Local Union
- (b) Brothers Arranged/ Special Marriage/ Local Union
- (c) Sisters Arranged/ Special Marriage/ Local Union

30. Social activities of family members

- (a) Participate in social and religious functions
- (b) Participate in cultural activities
- (c) Does not participate in social and religious functions
- (d) Not known

31. Parental care towards juvenile before admission:

- (a) Over protection
 - (b) Affectionate
 - (c) Attentive
 - (d) Not affectionate
 - (e) Not attentive
 - (f) Rejection
- D. Adolescence History (Between 12 and 18 years)

32. Puberty

Early Middle age Late

33. Details of delinquent behaviour if any

- (a) Stealing
- (b) Pick pocketing
- (c) Arrack selling
- (d) Drug pedaling
- (e) Petty offences
- (f) Violent crime
- (g) Rape
- (h) None of the above
- (i) Others (please specify)

34. Reason for delinquent behavior

- (a) Parental neglect
- (b) Parental overprotection
- (c) Parents criminal behavior
- (d) Parents influence (negative)
- (e) Peer group influence
- (f) To buy drugs/alcohol
- (g) Others (please specify)

35. Habits

- | A | B |
|-------------------------------|---------------------------------------|
| (a) Smoking | (a) Watching TV/movies |
| (b) Alcohol consumption | (b) Playing indoor/outdoor games |
| (c) Drug use (please specify) | (c) Reading books |
| (d) Gambling | (d) Religious activities |
| (e) Begging | (e) Drawing/ painting/ acting/singing |
| (f) Any other | (f) Any other |

36. Employment Details

Employment details of the juveniles prior to entry into the Home:

Serial No.	Details of employment	Duration	Wages earned
1	Cooly		
2	Rag picking		
3	Mechanic		
4	Hotel work		
5	Tea shop work		
6	Shoe polish		
7	Household works		
8	Others (please specify)		

37. Details of income utilization:

(a)Sent to family to meet family need(b)For dress materials(c)For gambling(d)For prostitution(e)For alcohol(f)For drug(g)For smoking(h)Savings

38. Details of savings

(a)With employers(b)With friends(c)Bank/Post Office(d)Others (please specify)

39. Duration of working hours

(a)Less than six hours(b)Between six and eight hours(c)More than eight hoursE. Educational Details

40. The details of education of the juvenile prior to the admission to Children s Home

(a)Illiterate(b)Studied up to V Standard(c)Studied above V Std, but below VIII Standard(d)Studied above VIII Std, but below X Standard(e)Studied above X Standard

41. The reason for leaving the School

(a)Failure in the class last studied(b)Lack of interest in the school activities(c)Indifferent attitude of the teachers(d)Peer group influence(e)To earn and support the family(f)Sudden demise of parents(g)Rigid school atmosphere(h)Absenteeism followed by running away from school(i)Others (please specify)

42. The details of the school in which studied last

(a)Corporation/Municipal/Panchayat Union(b)Government/Schedule Caste Welfare School/Backward Class Welfare School(c)Private management(d)Convents

43. Medium of instruction

Hindi/English/Urdu/Tamil/Malayalam/Kannada/ TeluguOther languages (please specify)

44. After admission to Children s Home, the educationl attainment from the date of admission till date;

No. of years Class studied Promoted /detained

45. Vocational training undergone form the date of admission into Children s Home till date.

No. of years Name of Vocational Trade Proficiency attained

46. Extra curricular activities developed form the date of admission into the Children s Home till date

(a)Scout(b)Sports (please specify)(c)Athletics (please specify)(d)Drawing(e)Painting(f)Others (please specify)G. Medical History

47. Height and weight at the time of admission

48. Physical condition

49. Medical history of child (gist)

50. Medical history of parent/guardian (gist)

51. Present health status of the child

Serial No.	Annual Observation	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
1	Date of review				
2	Height				
3	Weight				
4	Nutrition diet given				

- 5 Stress disease
- 6 Dental
- 7 Ear NoseThroat-Tonsils
- 8 External eye problem :vision
 - Left
 - Right

52. Height and Weight Chart

Date, Month , Year Height Admissible weight Actual weight

H. Social History

53. Details of friendship prior to admission into Children s Home

(a)Co-workers(b)School/Classmate(c)Neighbors(d)Others (please specify)

54. Majority of the friends are-

(a)Educated(b)Illiterate(c)The same age group(d)Older in age(e)Younger in age(f)Same sex(g)Opposite sex

55. Details of membership in group (please specify details)

(a)Associated with cine fans association(b)Association with religious group(c)Associated with arts and sports club(d)Associated with gangs(e)Associated with voluntary social service league(f)Others (please specify)

56. The position of the child in the groups/league

(a)Leader(b)Second level leader(c)Middle level functionary(d)Ordinary member

57. Purpose of taking membership in the group

(a)For social service activities(b)For leisure time spending(c)For pleasure seeking activities(d)For deviant activities(e)Others (please specify)

58. Attitude of the group / league

(a)Respect the social norms and follow the rules(b)Interested in violating the norms(c)Impulsive in violating the rules

59. The location/meeting point of the groups

(a)Usually at fixed place(b)Places are changed frequently(c)No specific places(d)Meeting point is fixed conveniently

60. The reaction of the society when the child first came out of the family

(a)Supportive(b)Rejection(c)Abuse(d)Ill-treatment(e)Exploitation

61. The reaction of the police towards children

(a)Passionate(b)Cruel(c)Abuse(d)Exploitation(e)Ill-treatment

62. The response of the general public towards the child

History of the Child (Gist)(a)Education(b)Health(c)Vocational training(d)Extra curricular activities(e)OthersSuggestion of Child Welfare Officer/ Probation Officer after orientation to juvenile/child and the response towards orientation.Follow up by Child Welfare Officer/ Probation Officer/ Case Worker/ Social WorkerQuarterly Review of Case History by Management CommitteeSuperintendent/Welfare Officer/probation OfficerForm XXI[See rules 46(12)(a) and 50(1)(o)]Individual Care PlanIndividual care plan for each child shall be prepared following the principle of the best interest of the child. In preparing individual care plan, the care options in the following order of preferences shall be considered:-(a)Preserving the biological family(b)Kinship Care(c)In-country adoption(d)Foster Care(e)Inter-country Adoption(f)Institutional CareCase/Profile No. of 20 _____(year) of the Board/CommitteeAdmission No.Date of Admission:A. Personal Details

1. Name of the Child

2. Age

3. Sex: Male/Female

4. Father s/Mother s name

5. Nationality

6. Religion/caste

7. Educational Attainment

8. Summary of Case History

(a)Health needs(b)Emotional and psychological support needed(c)Educational and Training needs(d)Leisure, creativity and play(e)Attachments and Relationships(f)Religious beliefs(g)Protection from all kinds of abuse, neglect and maltreatment(h)Social mainstreaming(i)Follow-up post release/restorationB. Fortnightly Progress Report Of Probationer

Part One

1. Name of the Probation Officer/Case Worker

2. For the month of

3. Registration No.

4. Competent Authority

5. Profile No.

6. Name of the Child

7. Date of Supervision Order

8. Address of the Child

9. Period of Supervision

Part Two

Places of interview dates.....

- 1. Where the child is residing?**
- 2. Progress made in any educational/training course,**
- 3. What work he/she is doing and his/her monthly average earning, if employed.**
- 4. Savings kept in the Post Office,**
- 5. Savings Bank Account in his/her name,**
- 6. Remarks on his/her general conduct and progress,**
- 7. Whether properly cared for?**

Part Three

1. Any proceedings before the competent authority of.-

(a)Variation of conditions of bond(b)Change of residence(c)Other matters

2. Period of supervision completed on.....

3. Result of supervision with remarks (if any)

4. Name and Addresses of the parent or guardian or fit person under whose care the juvenile is to live after the supervision is over.

Date of report _____ Signature of the Probation Officer/Case Worker_____ C.
Pre-Release Report Tick whichever is applicable Final Release Transfer

1. Details of place of transfer and concerned authority responsible in the place of transfer/release

2. Details of placement of the juvenile/child in different institutions

3. Training undergone and skills acquired

4. Final progress report of the officer-in-charge/probation officer/child welfare officer/case worker/social worker (to be attached)

5. Date of release/transfer

6. Date of repatriation

7. Requisition for escort if required

8. Identification of escort

9. Recommended rehabilitation plan including possible placements

10. Sponsorship requirement and report, if applicable

11. Identification of Probation Officer/Case worker/social worker/non-governmental organisation for post-release follow-up

12. Memorandum of Understanding with non-governmental organisation identified for post release follow-up

13. Identification of sponsorship agency/individual sponsor for the child post- release, if any

14. Memorandum of Understanding between the sponsoring agency and individual sponsor

15. Details of Savings Account of the child, if any

16. Details of child's earnings and belongings if any

17. Details of awards/rewards due to the child if any

18. Opinion of the child

19. Any other information

Note: Pre-release report shall be prepared six months prior to the date of release/transfer of juvenile/child and shall take into account the recommendations of the last review report and all other relevant information.

D. Post-Release Report

1. Status of Bank Account : Closed / Transferred
2. Earnings and belongings of the child : handed over to the child or his/her parents/guardians
–Yes/No
- 3. First interaction report of the probation officer/child welfare officer/case worker/social worker/non-governmental organisation identified for follow-up with the child postrelease**
- 4. Placement of the juvenile/child if any**
- 5. Family s behaviour towards the child**
- 6. Social milieu of the child, particularly attitude of neighbours/community**
- 7. How is the child using the skills acquired?**
- 8. Whether the child has been admitted to a school or vocation? Give date and name of the school/institute/any other agency**
- 9. Report of second and third follow-up interaction with the child after two months and six months respectively**

Form XXII[See rule 60(2)]Escort OrderCase No_____In the matter of boy child /girlchild_____aged about_____year, taken charged for sole custody under section 33(1) of the Juvenile Justice (Care and Protection of Children) Act, 2000.The parents of the boy child/girl child are reported to be residing at:He/She therefore be sent under supervision of a proper police/ non-governmental organization escort to the _____For tracing and for handing over to the parents or close relatives of the said boy child/girl child residing at the aforesaid address or at other place which may be shown by the child, if no such parents or relative are traced or if traced, but they are unwilling to take charge of the boy/girl, be kept in the custody of the Superintendent_____Children s Home and the said boy child/girl child be produced before the concerned Child Welfare Committee for further orders.OrdersPending Escort, the said boy child/girl child shall remain in Children s Home, residing at present. at_____. The State/District Child Protection Unit, or Police Department or non-governmental organisation/Childline shall positively make immediate arrangement not less than 15 days from the date of receipt of this order by him and send the said boy child/girl child at his/her aforesaid place of residence.Dated this _____day of _____20Chairperson/MemberChild Welfare CommitteeCC to:

1. The Superintendent, Children Home,.

2. The State/District Child Protection Unit or non-governmental organisation or Childline Reference: 1. Order of admission of minor.....born on.....Profile No.....