



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು
ವಿಶೇಷ ರಾಜ್ಯ ಪತ್ರಿಕೆ

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GOVERNMENT OF KARNATAKA

No. WCD 171 SBB 2024

Dated: 21.05.2025

NOTIFICATION

Whereas the draft of the Karnataka State Juvenile Justice (Care and Protection of Children) Rules, 2022 was published as required by sub-section (1) of section 110 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (Central 2 of 2016) in Notification No. WCD 89 SBB 2018, Dated: 09.04.2022 in part-IV-A of the Karnataka Gazette extra ordinary dated: 25.04.2022 inviting objections and suggestions from all the persons likely to be affected within fifteen days from the date of its publication in the Official Gazette.

Whereas, the said Gazette was made available to the public on 25.04.2022.

And, Whereas objections and suggestions received in this behalf have been considered by the State Government.

Now, therefore, in exercise of the powers conferred by section 110 of the Juvenile Justice (Care and Protection of Children) Act 2015 (Central 2 of 2016) the Government of Karnataka hereby makes the following rules, namely:-

RULES

CHAPTER-1

PRELIMINARY

1. Title and commencement.-(1) These rules may be called the Karnataka State Juvenile Justice (Care and Protection of Children) Rules, 2025.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Definitions.- (1) In these rules, unless the context otherwise requires;-

- (i) "Act" means the Juvenile Justice (Care and Protection of Children) Act, 2015 (Central Act 2 of 2016);

- (ii) "Case Worker" means a representative from a registered voluntary or non- Governmental organization who shall accompany the child to the Board or the Committee and may perform such tasks as may be assigned to the Case Worker by the Board or the Committee;
- (iii) "Child Study Report" means the report which contains details about the child, such as the date of birth and social background;
- (iv) "Children with special needs" means a child who is suffering from any disability as provided in the Rights of Persons With Disabilities Act, 2016(49 of 2016)as given in Schedule XVIII and Schedule III (Part E) of the Adoption Regulations;
- (v) "community service" means service rendered by children in conflict with law who are above the age of fourteen years and includes activities like maintaining a park, serving the elderly, helping at a local hospital or nursing home, serving children with disabilities, serving as traffic volunteers etc;
- (vi) "community sponsorship" means financial or in kind support provided to a group of children or their families living in a community. Example: A community could be a geographical unit like a hamlet, a tanda, a slum or a vulnerable group like the children of devadasietc;
- (vii) "counsellor" means a person having either a post graduate degree in psychology or social work, or an honors in psychology or social work with at least one year of work experience in counselling children in difficult circumstances.
- (viii) "Form" means the forms appended to these rules;
- (ix) "foster care placement monitoring committee" means a committee constituted as per the Karnataka State foster care guidelines to monitor the placement of children in foster care with a foster family or a group foster care and provide support to strengthen the placement and reduce incidences of foster care disruption;
- (x) "grievance" means a claim by a person that they sustained injustice or undue hardship as a consequence of mal-administration;
- (xi) "group sponsorship" means financial or in kind support provided to a group of children residing in a family, foster family, group foster care or a child care institution;

- (xii) "helpline service for children" means a 24x7 helpline for children that shall be run in coordination with State and District functionaries;
- (xiii) "Home Study Report" means a report containing details of prospective adoptive parents or foster parents, and shall include social and economic status, family background, description of home and atmosphere, and health status;
- (xiv) "Individual care plan" is a comprehensive and evolving development plan for a child based on age and gender specific needs and case history of the child, prepared in consultation with the child, in order to restore the child's self-esteem, dignity and self-worth and nurture the child in to a responsible citizen and accordingly the plan shall address the following, including but not limited to, needs of a child, namely:-
- (a) health and nutrition needs, including any special needs;
 - (b) emotional and psychological needs;
 - (c) educational and training needs;
 - (d) leisure, creativity and play;
 - (e) protection from all kinds of abuse, neglect and maltreatment;
 - (f) rescue, restoration and follow up;
 - (g) social mainstreaming and rehabilitation; and
 - (h) life skill training;
- (xv) "individual sponsorship" means financial or in kind support provided to an individual child residing in a family or in group foster care or in a child care institution;
- (xvi) "In country adoption" means adoption of a child by a citizen of India residing in India;
- (xvii) "Medical Examination Report" means the report of a child given by a duly licensed physician;
- (xviii) "organisation sponsorship" means financial or in kind support provided to a child care institution to strengthen infrastructure, expansion of services and improvement of service quality of the child care institution or other similar purposes.
- (xix) "Person-in-charge" or Superintendent means a person appointed for the control and management of the child care institution;

- (xx) “POCSO” means the Protection of Children from Sexual Offences Act, 2012 (Central Act 32 of 2012);
- (xxi) “Rehabilitation-cum-placement officer” means an officer designated for every child care institution for the purpose of rehabilitation of children;
- (xxii) “Revictimization” means a situation in which a person suffers from more than one criminal incident over a specific period of time;
- (xxiii) “Secondary victimization” means victimization that occurs not as direct result of a criminal act but through the response of institutions and individuals to the victim;
- (xxiv) “Selection Committee” means a committee constituted by the State Government under rule 100 of these rules;
- (xxv) “social background report” means the report of a child in conflict with law containing the background of the child prepared by the Child Welfare Police Officer;
- (xxvi) “social investigation report” means the report of a child containing detailed information pertaining to the circumstances of the child, the situation of the child on economic, social, psycho-social and other relevant factors, and the recommendations thereon;
- (xxvii) “Social Worker” means a person with post graduate degree in Social Work or Sociology or Psychology or Child Development or a graduate with minimum three years of experience in matters relating to child education and development or protection issues, who is engaged by a child care institution or authorized by District Child Protection Unit or State Child Protection Society or State Adoption Resource Agency or Central Adoption Resource Authority for preparing social investigation reports or individual care plans, child study reports, home study reports of prospective adoptive parent or foster parents, rendering post-adoption services, or performing any other functions as assigned to such person under the Act or these rules;

Explanation: For the purposes of this clause, it is clarified that the qualifications of the Social Worker member of the Board shall be as under section 4 of the Act.

- (xxviii) “Special educator” shall have the same meaning as assigned to it in the Protection of Children from Sexual Offences Rules, 2020;
- (xxix) “State Child Protection Society” means a society constituted under section 106 of the Act; and
- (xxx) “Support person” means a specially trained person designated to assist a child throughout the justice process in order to prevent the risk of duress, re victimization or secondary victimization.

(2) All words and expressions defined in the Act and used, but not defined in these rules, shall have the same meaning as assigned to them in the Act.

CHAPTER-II

JUVENILE JUSTICE BOARD

3. Composition of the Board.-(1) The Social Worker members shall be appointed by the State Government on the recommendations of the Selection Committee.

(2) The Social Worker members shall not be less than thirty five years of age and not more than sixty-five years of age as on the last date for receipt of applications for appointment as a member of the Board.

(3) The two Social Worker members so selected for a Board shall be from different fields of practice or profession or academic qualification.

(4) All members of the Board including the Principal Magistrate, and the Assistant Public Prosecutors concerned shall be given induction training and sensitization separately and jointly within a period of sixty days from the date of appointment respectively.

(5) Any person, whose appointment as a member has been terminated under sub-section (7) of section 4 or sub-section (7) of section 27 of the Act, shall not be eligible for further appointment as member of the Board.

4. Term of Members of the Board.-(1) The term of the Social Worker member of the Board shall not be more than for a period of three years from the date of appointment. The existing members shall

continue to hold office until their successors assume office or for an additional period of three months whichever is earlier.

(2) A Social Worker member of the Board shall be eligible for appointment for a maximum of two terms, subject to the performance in the previous term.

Explanation.- For the purpose of counting number of terms, a person who, in the period preceding the date of these rules coming into force, has been notified as a Social Worker member of the Board in any district, and has served as such for a period that sums up to a minimum of one year shall be deemed to have served one term.

(3) The term of the office of a Social Worker member of the Board may be renewed for another term by the State Government on the recommendation of the Selection Committee based on a performance appraisal by the District Judge:

Provided that in such a case where the Social Worker's term is extended by the State Government, due to delays in the selection of new members, such extension, even if it exceeds one year, may be made without a performance appraisal, and such extension period shall not be deemed as a term.

(4) The District Judge shall carry out performance appraisal under sub-rule (2) once in every three months but not later than six months using the format prescribed by the Directorate of Child Protection. The District Judge shall also record findings of any inquiry under sub-section (7) of section 4 as part of the performance appraisal. The District Judge shall forward the performance appraisal to the State Government, through the Director of the Directorate of Child Protection.

(5) If any complaint is made against a member of the Board, the State Government shall hold necessary inquiry except in respect of judicial officers; complaints against judicial officers shall be forwarded to the Registrar of the High Court for action. The State Government shall complete the inquiry within a period of two months and take appropriate action within one month.

(6) If a criminal case is registered against the member concerned, if necessary the State Government may suspend the member immediately pending

inquiry, for such term as appropriate; or after holding an inquiry and giving an opportunity of being heard in the matter.

(7) A Social Worker member may resign at any time, by giving three months' advance notice in writing to the State Government, through the Director of the Directorate of Child Protection.

(8) Any member intending to avail leave shall inform the Principal Magistrate in writing and also mention whether such member is taking leave from sitting of Board or duty roster or both and forward a copy thereof to the District Child Protection Unit at least three working days prior to the start of leave:

Provided that the requirement for notice shall be waived in case of an medical emergency or any other emergency, and the Principal Magistrate and the District Child Protection Unit shall be informed in writing immediately.

(9) If a member is availing leave for more than three sittings, permission shall be taken from the Chief Judicial Magistrate or Chief Metropolitan Magistrate and information shall be given to the District Child Protection Unit and State Government. If the Public Prosecutor is availing leave, information shall be given to the Board at least three days in advance.

Provided that in case of a medical emergency or any other emergency, the request for permission shall be sent to the Chief Judicial Magistrate or Chief Metropolitan Magistrate and information shall be given to the District Child Protection Unit and State Government, in writing immediately.

(10) If a Social Worker member availing leave is nominated in the Duty Roster on the days of leave, the Principal Magistrate shall immediately modify the duty roster and circulate the modified copy to all concerned immediately.

(11) When the Principal Magistrate is availing leave, as soon as leave is sanctioned, a written intimation shall be sent to District Child Protection Unit and the Social Worker members.

(12) Any vacancy in the Board shall be filled by appointment of another person from the panel of names prepared by the Selection Committee in the order of priority.

Provided that, a panel of selected persons shall be valid for a period of three years from the date of final selection.

Provided further that, a Social Worker member of the Board shall, on the basis of a renewal order from the State Government, continue to hold office even after completion of a term until their successor assumes office, provided that such extension shall not be for more than six months under any circumstances.

(13) The Social Worker member of the Board appointed by the State Government may be terminated if the member fails to discharge the duties and responsibilities attached to the position or misconduct, by adhering the following procedures:

- (i) The District Magistrate shall suo-moto or on receipt of any complaint against any Social Worker member, conduct an inquiry and forward the complaint, report, and recommendations to the State Government within thirty days for consideration and necessary action.
- (ii) On consideration of the report, performance appraisal report, and the relevant materials the State Government may pass an order as it deems fit.

5. 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 a suitable premise in any child care institution meant for children in conflict with law run under the Act, and in no circumstances shall the Board operate from within any court or jail premises.

(2) The Board shall ensure that no person un-connected with the case remains present in the room when the case is in progress.

Provided that the Board, District Child Protection Unit, or State Government may allow persons engaging in research, policy and practice in the area of child rights and juvenile justice to be present after they submit an undertaking in Form 1A.

(3) The Board shall ensure that only those persons, in the presence of whom the child feels comfortable, are allowed to remain present during the proceeding:

Provided that, a family member, a guardian, a friend or a relative, in whom the child victim has trust or confidence and a support person appointed by the Child Welfare Committee under the Protection of Children from Sexual Offences Rules, 2020, shall be present when the child victim is giving evidence:

Provided further that, the Board, District Child Protection Unit, or State Government, may allow students, researchers, and others with a bonafide interest in the working of the Board and the Juvenile Justice System to be present, but such person shall be permitted only if the child feels comfortable, and the person does not interfere with the proceedings.

(4) The Board shall hold its sittings in child-friendly premises which shall not look like a courtroom in any manner and the sitting arrangement should be made so as to enable the Board to interact with the child face to face and ensure that the members and the Principal Magistrate are sitting together at the same level.

(5) While communicating with the child including a child victim, and their family or guardian, the Board shall use child friendly techniques through its conduct and shall adopt a child friendly and respectful attitude with regard to body language, facial expression, eye contact, intonation and volume of voice while addressing the child. The Board shall use interviewing techniques based on essential counselling skills including rapport-building, validation of the child's emotions and experiences, acceptance and non-judgmental attitude, to ensure that the Board's interactions with the child are child-friendly.

(6) While conducting an inquiry in a case under the Protection of Children from Sexual Offences Act, 2012, (Central Act No.32 of 2012) the Board shall follow the procedures prescribed in sections 33, 36, 37, 38, and 40 of that Act.

(7) The Board shall not sit on a raised platform and there shall be no barriers, such as witness boxes or bars between the Board and the child. The State Government shall ensure this at the time of any new construction of buildings for the purpose of sittings of the Board. If the building of the Board already exists, the State Government shall either construct a new building in accordance with the provisions of this rule or carry out reconstruction work to comply with the requirement of the Act and these rules.

(8) The Board shall sit on all working days for a minimum of six hours commensurate with the working hours of a Magistrate Court, unless the case pendency is less in a particular district and the State Government issues an order in this regard, or the State Government may, by notification in the Official Gazette constitute more than one Board in a district after giving due consideration to the pendency of the cases, area or terrain of the district, population density or any other consideration.

(9) When the Board is not sitting, a child in conflict with law may be produced before an individual member of the Board. For the said purpose, one member of the Board shall always be available or accessible to take cognizance of any matter of emergency and necessary directions required to deal with the emergency situation shall be given by such member to the Special Juvenile Police Unit or the local police of the district. The Principal Magistrate shall draw up a monthly duty roster of the members who shall be available and accessible every day, including on Sundays and holidays. The roster shall be circulated in advance to all the police stations, the Chief Judicial Magistrate or Chief Metropolitan Magistrate, the District Judge, the District Magistrate, the Committees, the District Child Protection Unit and the Special Juvenile Police Units. The roster shall include the details of the member who may be contacted if the member on the duty roster goes on leave or is not accessible.

When a child alleged to be in conflict with law is produced before a member of the Board acting on duty roster, all the orders which can be passed on the first day of production by the Board, including order under Section 12 of the Act, can also be passed by such member.

Any dissenting opinion by a member of the Board, including the Principal Magistrate, shall be recorded on the order sheet with the signatures of such dissenting member.

(10) The Social Worker members of the Board shall be paid sitting fees as notified by the State Government from time to time. The Social Worker members of the Board shall be paid not less than rupees one thousand five hundred per sitting which shall include sitting allowance, travel allowance and any other allowance, as the State Government may notify on this behalf. Sitting fees shall also be paid for participating in training programs. Additional travel allowance shall be provided to

the Social Worker members of the Board for visiting jails, child care institutions, and police stations and participating in training, workshops, or official meetings, if official arrangements for the same have not been provided.

(11) The Board shall be provided with all necessary infrastructure and staff by the State Government, which shall include:-

- (a) a well-furnished Board Room with electricity, light and fans, waiting room for children, separate rooms for Principal Magistrate and members, a record room, a room for Probation Officers, room for legal aid lawyers, counselling and guidance unit, video conferencing facility, waiting room for parents and visitors, safe drinking water facility and clean toilets;
- (b) Furniture: chairs, tables, file cabinets, computer chairs etc., as per requirement for the Board room, chambers, offices;
- (c) Information Technology based logistics: computers with printers, video conferencing facilities, photocopiers with scanner, telephone with internet broadband connection, television for the waiting hall;
- (d) At least one clerk, one typist, one peon, and one data entry operator. Adequate Probation Officers or voluntary Probation Officers or Case Workers or Child Welfare Officers shall be provided to the Board based on the pendency of cases.

(12) Traveling allowance shall be given to the members for official visits as per norms prescribed by the State Government.

(13) All documents shall be maintained in the place of sitting and be accessible to all members of the Board.

(14) The Principal Magistrate of the Board, and police and lawyers appearing before the Board shall be dressed in plain clothes and not in uniform.

(15) The Board may conduct its sittings through video conferencing, in case there are constraints limiting physical movement of the child alleged to be in conflict with law, or the Board Members including the Chairperson:

Provided if the child's case requires the presence of a doctor or psychiatrist or counsellor or physical attention, the sitting shall be conducted in the premises as provided in sub-rule(1) of rule 5.

6. Additional functions of the Board.- The Board shall perform the following additional functions, namely:-

- (i) Whenever necessary, the Board shall provide a translator or interpreter or special educator who shall be paid not less than rupees one thousand five hundred per day and in case of translator, not exceeding rupees one hundred per page. For the said purpose, the District Child Protection Unit shall maintain a panel of translators, interpreters and special educators who shall forward the same to the Board, the qualifications of the translator, interpreter and special educator shall be as prescribed under the Protection of Children from Sexual Offences Act, 2012 (Central Act No.32 of 2012) and rules framed there under;
- (ii) issue rehabilitation chart in Form 14 to every child in conflict with law to monitor the progress made by the child;
- (iii) wherever required, pass appropriate orders for re-admission or continuation of the child in school or college or any other educational institution, including a child victim, where the child, has been disallowed from continuing his education in a school on account of the pendency of the inquiry or the child having stayed in a child care institution for any length of time;
- (iv) interact with Boards in other districts to facilitate speedy inquiry and disposal of cases through due process of law, including sending a child for the purpose of an inquiry or rehabilitation to a Board in another district or State;
- (v) inspect child care institutions for children in conflict with law, issue directions in cases of any noticeable lapses, suggest improvements, seek compliance and recommend suitable action, including against any employee found in dereliction of duty to the District Magistrate and the Director, Directorate of Child Protection or the Member Secretary, State Child Protection Society;
- (vi) maintain a suggestion box or grievance redressal box in the premises of the Board or in the Observation Home or Special Home or Place of

Safety at a prominent place to encourage inputs from children and adults alike which shall be operated by the Principal Magistrate or by a member of the Board nominated by the Principal Magistrate in writing;

- (vii) an online grievance redressal system shall also be created by the State Government for receipt of suggestion or grievance which may be accessed by the Board;
- (viii) ensure smooth functioning of Children's Committees in the child care institutions for children in conflict with law, for realizing Children's participation in the affairs and management of such child care institutions;
- (ix) review the Children's suggestion book at every sitting, and the Complaint Book during every visit in the Child Care Institution and also carry out random one to one and group interaction with children in the Child Care Institutions in absence of the Child Care Institution staff and Person-in-Charge to understand concerns and issues of children, to determine their well-being and provide inputs and recommendations accordingly to such Child Care Institutions and issue necessary directions for resolution of grievances of children to the officer concerned;
- (x) ensure that the District Child Protection Unit facilitates and the State or District or Taluk Legal Services Authority extends free legal services to a child, monitors the legal services being provided by the State or District or Taluk Legal Services Authority and ensures that no payment in cash or kind by or on behalf of the child or the child's family is demanded or accepted for services rendered or costs incurred;
- (xi) take on record oral or written complaints by children or parents concerning free and effective legal services by the State or District or Taluk Legal Services Authority, including any charges relating to the case, and forwarding them for inquiry to the relevant authority under the Legal Services Authority Act, 1987;
- (xii) deploy, if necessary, the services of student volunteers or non-governmental organization volunteers, or para-legal volunteers, from a panel maintained by the District Child Protection Unit for para-legal and other tasks, such as contacting or visiting the parents of child in

conflict with law, the child's school, and collecting relevant social and rehabilitative information about the child:

Provided that such volunteers shall be oriented and trained to perform the tasks allocated to them.

- (xiii) recommend, if necessary, payment of interim and final compensation to victims by the District Legal Services Authority, in accordance with section 396 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Central Act 46 of 2023), 1973 (Central Act No. 2 of 1974), relevant provisions of the Protection of Children from Sexual Offences Act, 2012, and rules made there under and such other existing laws as may be in force;
- (xiv) conduct inspection of jails meant for adults under item (m) of sub-section (3) of section 8 of the Act once in every thirty days to check, if any person who is lodged in such jails is a child then take immediate measures for transfer of such a child in following manner namely:-

- (a) Such inspection shall be carried out by the entire Board or at least one Social Worker member and the Principal Magistrate or two Social Worker members. The Board may include one medical officer, one representative each from the District Legal Services Authority and the District Child Protection Unit, and one representative of a non- governmental organization as part of the inspection team. At least two members of the inspection team shall be women. Such inspection shall be carried out in the jail inspection format prescribed by the Directorate of Child Protection.

- (b) Through such inspection, the Board shall identify such under-trials and convicted prisoners lodged in the jail who may probably be a "child" on the date of alleged commission of offence.

- (c) During such inspection, the concerned jail authority shall produce any record of the inmates as may be requested and shall facilitate easy and smooth access to the inmates in the jail. For interaction with female and transgender inmates, appropriate arrangements shall be made by the jail Superintendent, in case

it is not possible for the Board to carry out inspection of the female wards of the jail.

(d) When the Board finds a person lodged in jail who may be a child on the date of commission of offence, it shall make a reference for each such person separately to the court concerned, in Form 1B, within three working days from the date of such inspection. In case of an under-trial prisoner, such reference shall be made to the Court where case is pending at present and in case of a convicted prisoner, such reference shall be made to the Court which disposed of the case.

(e) In case of all such persons who are proved to have been wrongly incarcerated in jail as adults, the Board shall record a statement on the date of first production of such person in order to identify officials responsible for the lapse. If any police or jail official is found to be responsible for willful negligence in this regard, after due opportunity to such police officer to be heard by the Board, order may be made by the Board directing the registration of first information report against such police official under section 166 Bharatiya Nyaya Sanhita 2023 (Central Act 45 of 2023) of the Indian Penal Code or any other relevant provision, as applicable, or recommend initiation of disciplinary action.

(f) Any Board to which a case is transferred after the person previously lodged in the jail has been proved to be a child, may award adequate compensation to be paid within thirty days from the date of the transfer order, by the State Government from the Juvenile Justice Fund to such person for having been wrongly incarcerated in jail.

(xv) conduct surprise inspection of police stations within its jurisdiction, at least once every month, to satisfy itself that children are not being kept in police lock up, not being detained illegally at any police station and that provisions of the Act and these rules are being complied with. In case of any non-compliance of the Act and these rules being noticed, the Board shall pass appropriate orders to the concerned authority for addressing such non-compliance;

- (xvi) take notice of violation of section 24 of the Act and of sub-section (2) of section 74 and pass appropriate directions to the person or authority causing or responsible for such violation and to ensure that the disqualification stands removed;
- (xvii) on receipt of a written complaint by the Committee in respect of any offence having been committed against a child in need of care and protection, the Board shall pass appropriate orders within seven days from receipt of such written complaint and a copy of such order shall be sent to the Committee concerned for its information and record;
- (xviii) liaise with the Committee in respect of cases of children in conflict with law who are declared children in need of care and protection by the Board;
- (xix) coordinate with the State or District Legal Aid Services Authority for ensuring availability of free legal services to children in conflict with law;
- (xx) maintain a database of medical and counseling centers, de-addiction centers, hospitals, open schools, education facilities, apprenticeship and vocational training programmes and centers, recreational facilities such as performing arts, fine arts and facilities for children with special needs and other such facilities;
- (xxi) coordinate with District Child Protection Unit and other stakeholders for ensuring smooth functioning of Board and for effective rehabilitation of children in conflict with law;
- (xxii) wherever appropriate and in the best interest of the child, pass conditional bail orders, requiring a child alleged to be in conflict with law to attend a therapeutic centre, attend school, or any other rehabilitative measure, and reporting to the probation officer or caseworker on a regular basis; and
- (xxiii) allow a Probation Officer to make representations based on the best interest of the child as and when required.

CHAPTER III

PROCEDURE RELATING TO CHILDREN IN CONFLICT WITH LAW

7.Pre-Production action of Police and other Agencies.- (1) Upon registration of First Information Report in an offence alleged to have been committed by a child, the designated Child Welfare Police Officer shall record the version of child and shall send intimation about registration of such First Information Report in Form 1C to the Special Juvenile Police Unit for their information and for required action:

Provided that, the power to apprehend shall only be exercised with regard to heinous offences, unless it is in the best interest of the child. In case of apprehension in petty or serious offences, reasons shall be recorded in writing and submitted to the Board. For all other cases involving petty and serious offences and cases where apprehending the child is not necessary in the interest of the child, the police or Special Juvenile Police Unit or Child Welfare Police Officer shall forward the information regarding the nature of offence alleged to be committed by the child along with his social background report in Form 1 along with the property found report to the Board and intimate the parents or guardian of the child as to when the child is to be produced for hearing before the Board:

Provided further that, offences that are not expressly punishable with seven or more years of imprisonment shall not be treated as heinous offences.

(2) When a child alleged to be in conflict with law is apprehended by the police, the police officer concerned shall place the child under the charge of the Special Juvenile Police Unit or the Child Welfare Police Officer, who shall immediately inform,-

- (i) the Board about the incident, time of apprehension of the child and the date and time when child is likely to be produced before the Board;
- (ii) the parents or guardian of the child that the child has been apprehended along with the address of the Board where the child will be produced and the date and time when the parents

or guardian need to be present before the Board and the place where the child is kept in Form 1D ;

- (iii) the Probation Officer concerned, that the child has been apprehended so as to enable the Probation officer to obtain information regarding the social background of the child and other material circumstances likely to be of assistance to the Board for conducting the inquiry; and
- (iv) a Child Welfare Officer or a Case Worker, to accompany the Special Juvenile Police Unit or Child Welfare Police Officer while producing the child before the Board within twenty- four hours of the child's apprehension.

(3) The police officer dealing with a child alleged to be in conflict with law shall,-

- (v) not keep the child in a police lock-up and not delay the child's case being transferred to the Child Welfare Police Officer of the police station. The police officer may, under sub-section (2) of section 12 of the Act, send the person apprehended to an observation home only for such period till the child is produced before the Board i.e., within twenty-four hours of the child being apprehended and appropriate orders are obtained as per rule 8 of these rules;
- (vi) not hand-cuff, chain or otherwise fetter a child and shall not use any coercion or force on the child;
- (vii) inform the child promptly and directly of the charges levelled against the child through the child's parent or guardian; and if a First Information Report is registered, copy of the same shall be made available to the child or copy of the police report shall be given to the parent or guardian on the same day;
- (viii) inform the child and the parent or guardian immediately regarding the rights and privileges of the child under the Act and rules;
- (ix) display rights of the child in the police station;
- (x) provide appropriate medical assistance, assistance of interpreter or a special educator, or any other assistance which the child may require, as the case may be;
- (xi) not compel the child to confess guilt;

- (xii) the child shall be interviewed only at the Special Juvenile Police Unit or at a child-friendly premises or at a child-friendly corner in the police station, which does not give the feel of a police station or of being under custodial interrogation. The child parent or guardian, shall be informed of the right to legal advice and counsel and the right to be represented by a lawyer. The parent or guardian or a person in whom the child has trust or confidence shall be present during the interview of the child by the police. The child shall be allowed to meet an advocate of the child's choice during interrogation. The child shall be informed of the right not to be compelled to be a witness against oneself under sub-clause (3) of Article 20 of the Constitution of India;
- (xiii) not ask the child to sign any statement;
- (xiv) inform the District Legal Services Authority for providing free legal aid to the child; and
- (xv) promptly collect available documents regarding the age of the child in conflict with the law and record statements, if necessary, in this regard. Such investigation on age shall be duly recorded in the Age Memo prescribed in Form 1E and shall be submitted to the Board.

(4) The Child Welfare Police Officer shall be in plain clothes and not in uniform during interactions with children in conflict with the law, as far as possible.

(5) The Child Welfare Police Officer shall record the social background of the child and circumstances of apprehending in every case of alleged involvement of the child in an offence in Form 1 which shall be forwarded to the Board forthwith. For gathering the best available information, it shall be necessary upon the Special Juvenile Police Unit or the Child Welfare Police Officer to contact the parent or guardian of the child.

(6) A list of all designated Child Welfare Police Officers, Child Welfare Officers, Probation Officers, Para Legal Volunteers, District Legal Services Authorities and registered voluntary and non-governmental organisations, Principal Magistrate and Social Worker members of the Board, members of Special Juvenile Police Unit and

helpline services for children in the district, along with contact details shall be prominently displayed in every police station.

(7) Where apprehension of the child is not warranted, the Child Welfare Police Officer shall handover the child to the child's parents or guardians and shall obtain from them an undertaking in Form 2 to ensure appearance of the child before the Board, as and when required. In all such cases where child is not apprehended, the Child Welfare Police Officer shall submit the copy of the First Information Report or the station house diary along with the child's social background report in Form 1, the undertaking in Form 2 and version of the child, to the Board within 24 hours from the time of registration of First Information Report. On receipt of such documents, the Board shall direct the child to appear before it on a next date and written intimation about requirement of such appearance shall be given to the child and the child's parents or guardians by the Child Welfare Police Officer, at the earliest.

(8) The State Government shall maintain a panel of voluntary or non- Governmental organisations or persons who are in a position to provide the services of probation, counselling, or case work and also associate with the Police or Special Juvenile Police Unit or the Child Welfare Police Officer, and have the requisite expertise to assist in physical production of the child before the Board within twenty-four hours and during pendency of the proceedings and the panel of such voluntary or non-governmental organisations or persons shall be forwarded to the Board.

(9) The police or the Child Welfare Police Officer in whose custody the child is placed for the time being, shall be responsible for the safety of the child and the provision of food and basic amenities during the period such child is with them. The Home Department shall provide funds to the police or Special Juvenile Police Unit or the Child Welfare Police Officer or Case Worker or person for the safety and protection of children and

provision of food and basic amenities including travel cost and emergency medical care to children apprehended or kept under their charge during the period such children are with them.

(10) The discretionary power of releasing a child on bail shall be exercised cautiously by the police and in consultation with the Probation Officer or the Social Worker of the Special Juvenile Police Unit and reasons should be recorded for denial or grant of bail.

(11) A child, who has been apprehended, may be released on bail even in a non-bailable offence by the Officer in-charge of police Station, who may consult the Child Welfare Police Officer or the Probation Officer or the Social Worker of the Special Juvenile Police Unit in this regard and reasons shall be recorded for denial or grant of bail. If a child is not released on bail by the police officer, such child shall be produced within twenty four hours of taking charge, excluding the journey time before any member of Juvenile Justice Board who shall order the placement of the child in an Observation Home or a Place of Safety. It is not necessary that the child shall be produced only before the Principal Magistrate.

(12) The Child Welfare Police Officer of Special Juvenile Police Unit shall take immediate action, as per law, against the alleged perpetrators, if the version of the child reveals that the child has been subjected to any neglect, exploitation, abuse, or ill treatment by anyone or used by any gang for commission of an offence.

(13) In case of a female or transgender child, the officer in charge of police station shall designate a trained female police officer to act as Child Welfare Police Officer for the case, if the designated Child Welfare Police Officer is not a female police officer already and only such police officer shall deal with the child till the end of the proceedings.

(14) The police shall not seek the police custody of a child in conflict with the law for investigation. Further investigations, if necessary, shall be made in the premises of the observation home or in the place of safety. The Police shall enter the premises of the observation home or place of safety in plain clothes and not in uniform. The child shall be questioned in the presence of a parent, guardian, or guardian ad litem appointed by the Board. A girl child shall be questioned in the presence of a female police officer.

(15) The Officer in-charge of the police station or the Child Welfare Police Officer, while dealing with cases of children in conflict with law, may take assistance of the concerned individual or agency or Case Worker, that has to produce the child before the Board, and shall inform such individual or agency or Case Worker, as the case may be, at the earliest possible occasion to avail such assistance.

(16) Where the fact of any accused being a child comes to the notice of the police at any stage, the concerned police officer shall immediately inform the officer in-charge of the police station, who shall assign and transfer further proceedings to the designated Child Welfare Police Officer, without any delay. If such person has been produced before a court other than the Board, the fact of such person being a child on the date of the alleged offence shall be brought to the notice of the court concerned without any delay by the investigation officer or the Child Welfare Police Officer.

8. Production of the child alleged to be in conflict with law before the Board. -(1) A child may voluntarily present oneself before the Board.

(2) When the child alleged to be in conflict with law is apprehended, the child shall be produced before the Board within twenty-four hours of being apprehended, along with a copy of the social background report of the child in Form 1, containing reasons

for and circumstances under which the child has been apprehended and version of the child.

Provided that, the child alleged to be in conflict with law may voluntarily present themselves before the Board.

(3) On production of the child before the Board, the Board may pass orders as deemed necessary, including sending the child to an observation home or a place of safety or a fit facility or a fit person.

(4) Where the child produced before the Board is covered under section 78 or section 83 of the Act, including a child who has surrendered, the Board may, after due inquiry and being satisfied of the circumstances of the child, transfer the child to the Committee as a child in need of care and protection for necessary action, and or pass appropriate directions for rehabilitation, including orders for safe custody and protection of the child and transfer to a fit facility recognized for the purpose which shall have the capacity to provide appropriate protection, and consider transferring the child out of the district or out of the State to another State for the protection and safety of the child.

(5) Where the child alleged to be in conflict with law has not been apprehended and the information in this regard is forwarded by the police or Special Juvenile Police Unit or Child Welfare Police Officer to the Board, the Board shall require the child to appear before it at the earliest so that measures for rehabilitation, where necessary, can be initiated, though the final report may be filed subsequently.

(6) In case the Board is not sitting, the child alleged to be in conflict with law shall be produced before a single member of the Board, as per the duty roster under sub-section (2) of section 7 of the Act.

(7) In case the child alleged to be in conflict with law cannot be produced before the Board or even a single member of the Board due

to child being apprehended during odd hours or distance, the child shall be kept by the Child Welfare Police Officer in the Observation Home in accordance with rule 78 D or in a fit facility and the child shall be produced before the Board thereafter, within twenty-four hours of apprehending the child. A list of approved fit facilities under rule 36 should be maintained by the Child Welfare Police Officer.

(8) When a child is produced before an individual member of the Board, and an order is obtained, such order shall be ratified by the Board in its next meeting.

(9) On production of the child before the Board, the Board shall interact with the child on one to one basis to,-

- a. elicit information on the background of the child;
- b. inform the child of the case filed against the child by the police and availability of free legal aid;
- c. help the child to understand the process of the proceedings; and
- d. take cognizance of any dereliction or excesses committed by police or any other
- e. authority.

(10) The Board shall satisfy from the declaration of Police in writing and otherwise that the child alleged to be in conflict with law was not kept in police lock up or jail prior to the production before the Board and that the child was produced before the Board without any loss of time, but within twenty four hours of taking charge of the child excluding travel time. The Board shall interact with the child privately and the account of the apprehension shall be recorded in writing.

(11) The Board shall satisfy that the police on taking charge of the child has intimated the Probation Officer concerned in Form 1F and parents or guardians of the child as required under section 13 of the Act in Form 1D, and shall require the police to file a written statement in this regard.

(12) The Board shall satisfy that the child has not been subjected to ill treatment or harassment either by the police or by any other person, who had taken charge for the purpose of bringing the child before the Board.

(13) The Board shall direct action against any media or institution or person for publishing identifying information about a child whose case is pending before the Board, without obtaining permission of the Board prior to such disclosure.

(14) Irrespective of the offence allegedly committed by the child notwithstanding anything contained in the Bharatiya Nagarik Suraksha Sanhita 2023 (Central Act 46 of 2023) or any other law for the time being in force, the Board shall release the child on bail with or without surety to the parents or legal guardians or fit person, if it is in the best interest of the child after considering the report of the probation officer upon conditions to be followed during the bail period or such other relevant material. Bail application shall be disposed within three days and shall be deemed to be granted if it is not disposed within three days unless the Board provides reasons for delay in disposal of bail in writing.

(15) If the Board decides to commit a child to any child care institution, contrary to the report of the probation officer, the reasons for the same shall be recorded in writing.

(16) The Board shall obtain a declaration from police in writing in Form 1G that the child was dealt with due regard for decency and also inquire about the same from the child in conflict with law and shall record the same.

(17) In all cases of pending inquiry, the Board shall fix the next date of hearing not later than fifteen days.

(18) The Board shall maintain a list of experts in the field of psychology, counselling and guidance, medical practitioners and

psychiatrists and psychiatric institutions who are willing to provide such services. The list can be prepared in consultation with the Probation Officers and District Child Protection Officer in the concerned District.

(19) During the conduct of inquiry by the Board, if any complaint about victimization or exploitation of a child is brought before the Board either by the child or is made out from the report of the medical officer or the Probation Officer, the Board shall direct the police to register a case, investigate and report for further proceedings within a fixed time. However, such proceedings shall not delay the disposal.

(20) The police shall approach the Board for appropriate orders for taking a child out to recover the weapon used for committing the crime or recovery of disposed stolen properties. The Board shall pass an appropriate order authorizing the police to take charge of the child from the observation home or a place of safety and handle them in plain clothes and with dignity and respect during the journey. The Social Worker of the Special Juvenile Police Unit or Social Worker of the District Child Protection Unit shall accompany the child when the child is taken out for such recovery. Female children shall be accompanied by female escorts. The child shall be taken between 9 am to 5 pm for recovery within the city. In cases of recovery outside the city or State necessary arrangements shall be made with the district Special Juvenile Police Unit or relevant functionaries in the State to ensure the child's safety and accommodation.

(21) The police shall be present at all hearings before the Board.

9. Post-production processes by the Board.- (1) On production of the child before the Board, the report containing the social background of the child, circumstances of apprehending the child and offence alleged to have been committed by the child as provided by the officers, individuals, agencies producing the child, and the documents on age, if any, shall be reviewed

by the Board and the Board may pass such orders in relation to the child as it deems fit, including orders under sections 17 and 18 of the Act, namely:-

- (i) disposing of the case, if on the consideration of the documents and record submitted at the time of the first appearance, the child's being in conflict with law appears to be unfounded or where the child is alleged to be involved in petty offences;
 - (ii) referring the child who is found to be innocent to the Committee having jurisdiction where the Board is satisfied that the child is in need of care and protection and in such cases no further proceeding shall be carried out by the Board and the inquiry shall be deemed to be disposed of and records shall be transferred to the Committee;
 - (iii) referring a child alleged to be in conflict with law who is found by the Board to also be a child in need of care and protection, to the Committee for care and protection, including possibility of placement in a Children's Home, pending inquiry by the Board, and in such cases the Board and the Committee shall work in coordination and pass orders for the rehabilitation and social reintegration of the child.
 - (iv) releasing the child in the supervision or custody of a fit person or fit facility or Probation Officer as the case may be, through an order in Form 3, with a direction to appear or present a child for an inquiry on the next date; and
 - (v) Directing the child care institution to keep the child, as appropriate, if necessary, pending inquiry as per order in Form 4.
2. In all cases of release pending inquiry, the Board shall notify the next date of hearing, not later than fifteen days of the first summary inquiry and also seek social investigation report from the Probation Officer, or in case a Probation Officer is not available the Child Welfare Officer or Social Worker concerned through an order in Form 5:

Provided that, summons shall be issued to the child only after the charge-sheet is filed.

3. When the child alleged to be in conflict with law, after being released on bail, fails to appear before the Board, on the date fixed for hearing, and no application is moved for exemption on the child's behalf or there is not sufficient reason for granting the child exemption, the Board shall, issue to the Child Welfare Police Officer and the Person-in-charge of the Police Station directions for the production of the child.
4. If the Child Welfare Police Officer fails to produce the child before the Board even after the issuance of the directions for production of the child, the Board shall instead of issuing process under section 82 of the Bharatiya Nagarik Suraksha Sanhita 2023 (Central Act 46 of 2023) pass orders as appropriate under section 26 of the Act.
5. In cases of a heinous offence alleged to have been committed by a child, who has completed the age of sixteen years, the Child Welfare Police Officer shall produce the statement of witnesses recorded by the police and other documents prepared during the course of investigation within a period of one month from the date of first production of the child before the Board, a copy of which shall also be given to the child or parent or guardian of the child.
6. In cases of petty or serious offences, the final report shall be filed before the Board at the earliest and in any case not beyond the period of two months from the date of information to the police, except in those cases where it was not reasonably known that the person involved in the offence was a child, in which case extension of time may be granted by the Board for filing the final report.
7. When witnesses are produced for examination in an inquiry relating to a child alleged to be in conflict with law, the Board shall ensure that the inquiry is not conducted in the spirit of strict adversarial proceedings and it shall use the powers conferred by section 165 of Bharatiya Sakshya Adhiniyam 2023 (Central Act 47 of 2023) so as to interrogate the child and proceed with the presumptions in favour of the child.
8. While examining a child alleged to be in conflict with law and recording the child's statement during the inquiry under section 14 of the Act, the Board shall address the child in a child-friendly manner in order to put the child at ease and to encourage the child to state the facts and circumstances without any fear, not only in respect of the offence which has been alleged against the child,

but also in respect of the home and social surroundings, and the influence or the offences to which the child might have been subjected to.

9. The Board shall take into account the report containing circumstances of apprehending the child and the offence alleged to have been committed by the child and the social investigation report in Form 6 prepared by the Probation Officer or the voluntary or non- governmental organisation, along with the evidence produced by the parties for arriving at a conclusion.
10. If the child is being transferred to another district or State, the Board shall inform the concerned Child Welfare Police Officer about such transfer, and shall direct the Special Juvenile Police Unit to transfer the child within three days of the order.
10. **Preliminary assessment into heinous offences by Board.-** (1) The Board shall in the first instance determine whether the child is of sixteen years of age or above; if not, it shall proceed as per provisions of section 14 of the Act.
2. The Board shall conduct a preliminary assessment in case of heinous offences, for which purpose the Board may take the assistance of psychologists or psycho-social workers or other experts who have experience of working with children in difficult circumstances. A panel of such experts may be made available by the District Child Protection Unit, whose assistance can be taken by the Board or could be accessed independently. If the Board, decides to take the assistance of psychologists or psycho-social experts or other experts, the Board shall, in its order, specify the aspect on which an opinion is sought and whether it is sought from a psychologist or a psycho-social expert or any other expert. A copy of the opinion given by a psychologist or psycho- social expert or other experts shall be provided to the child or the child's parents or guardians for filing objections, if any, in writing.
3. The Board shall record in writing, with reasons, whether it fully or partially accepts or rejects the opinion it may have received under sub- rule (2).
4. While conducting the preliminary assessment, the child shall be presumed to be innocent unless proven otherwise. Prior instances of the child coming in conflict with the law, if any, shall not be used against a child during a preliminary assessment.

5. Where the Board, after preliminary assessment under section 15 of the Act, passes an order that there is a need for trial of the said child as an adult, it shall assign reasons for the same and the copy of the order shall be provided to the child forthwith. The child and the child's family or guardian shall be informed about the right to appeal and the availability of free legal aid.
6. The Board, while transferring the case to the Children's Court having jurisdiction to try such offences, shall send the entire record in original to the Children's Court and a certified copy thereof shall be retained in the Board for its own record.
7. The pendency of a preliminary assessment shall not affect the disposal of a bail application of a child in conflict with the law.

11. **Completion of Inquiry.-** (1) Where after preliminary assessment under section 15 of the Act, in cases of heinous offences allegedly committed by a child, the Board decides to dispose of the matter; the Board may pass any of the dispositional orders as specified in section 18 of the Act.

(2) Before passing an order, the Board shall obtain a social investigation report in Form 6 prepared by the Probation Officer or Child Welfare Officer or Social Worker as ordered, and take the findings of the report into account.

(3) All dispositional orders passed by the Board shall necessarily include an individual care plan in Form 7 for the child in conflict with law concerned, prepared by a Probation Officer or Child Welfare Officer or a recognised voluntary organisation on the basis of interaction with the child, and his family where possible.

(4) Where the Board is satisfied that it is neither in the interest of the child nor in the interest of other children to keep a child in the observation home, or special home, the Board may order the child to be kept in a place of safety and in a manner considered appropriate by it.

(5) Where the Board decides to release the child after advice or admonition or after participation in group counselling or orders the child to perform community service, necessary direction may also be issued by the Board to the District Child Protection Unit for arranging such counselling and community service and for submission of follow up reports at regular intervals.

(6) Where the Board decides to release the child in conflict with law on probation and place the child under the care of the parent or the guardian or fit person, the person in whose custody the child is released may be required to submit a written undertaking in Form 8 for good behavior and well-being of the child for a maximum period of three years.

(7) The Board may order the release of a child in conflict with law on execution of a personal undertaking without surety in Form 9.

(8) In the event of placement of the child in a fit facility or special home, the Board shall record the reasons thereof and consider that the fit facility or special home is located nearest to the place of residence of the child's parent or guardian to enable regular contact with the family, except where it is not in the best interest of the child to do so.

(9) The Board, where it releases a child on probation and places the child under the care of parent or guardian or fit person or where the child is released on probation and placed under the care of fit facility, it may also order that the child be placed under the supervision of a Probation Officer who shall submit periodic reports in Form 10 and the period of such supervision shall be maximum of three years.

(10) Where it appears to the Board that the child has not complied with the probation conditions, it may order the child to be produced before it and conduct further proceedings to

understand the reasons thereof and may pass appropriate remedial orders, such as family counselling, admission into a school, drug de-addiction centre, vocational training centre, or a residential hostel, or send the child to a fit facility, special home or place of safety, for the remaining period of supervision, if it is in the best interest of child.

(11) In no case, the period of stay in the special home or the place of safety shall exceed the maximum period provided in clause (g) of sub-section of section 18 of the Act.

(12) The Board shall direct the Person-in-charge of the Special Home or the Probation Officer or the District Child Protection Unit or a Social Worker, to submit a follow up report every six months to evaluate the progress of the child placed in the Special Home and ensure that there is no ill-treatment to the child in any form. The Board may direct the child to be produced periodically and at least once every three months for the purpose of assessing the progress made by the child and the facilities provided by the Special Home for the implementation of the individual care plan.

(13) Where a child has been found to be in conflict with the law, the Board shall inform the child and the child's family or guardian about the right to appeal and the availability of free legal aid.

(14) A child released from a Special Home shall for the first quarter after release, meet with the Probation Officer or the District Child Protection Unit or Social Worker on a fortnightly basis or at such intervals as may be directed by the Board. The time and venue for such meetings shall be fixed in consultation with the child. The Probation Officer or the District Child Protection Unit or Social Worker shall provide assistance to the child to facilitate reintegration and submit a report to the Board about the support provided, the need for further follow-up, if necessary, and include recommendations for aftercare or any other support.

(15) At the time of passing an order under Section 18 (1) of the Act or any other order by which a proceeding is closed, the Board shall include an order under sub-section (2) of section 24 of the Act directing the Officer in-charge of the police station and the concerned Child Welfare Police Officer to destroy the record of the child from the police station within a maximum period of two weeks after the expiry of the period of appeal. The Board shall provide a copy of this order to the child and to the concerned Child Welfare Police Officer with a direction to file a compliance report before the Board within one week of compliance of such order. The Child Welfare Police Officer shall immediately bring such order to the notice of the Officer in-charge of the police station, who shall ensure compliance of such order within the stipulated time.

12. **Pendency of inquiry.**-(1) For the purpose of sub-section (3) of section 16 of the Act, the Board shall maintain a 'Case Monitoring Sheet' of every case and every child in Form 11. The said Form shall be kept at the top of each case file and shall be updated from time to time. The following points shall be considered so far as 'progress of inquiry' mentioned in Form 11 is concerned:

- (i) time schedule for disposal of the case shall be fixed on the first date of hearing; and
- (ii) scheduled date given in column No. (2) of 'progress of inquiry' shall be the outer limit within which the steps indicated in column (1) are to be completed.

2. The Board shall submit a quarterly report in Form 12 about the pendency of the cases, visits to the Child Care Institutions, etc. to the following:

- (i) Chief Judicial Magistrate or Chief Metropolitan Magistrate; and
- (ii) District Magistrate.

3. The District Judge shall conduct an inspection of the Board once every quarter and appraise the performance of the Principal Magistrate and Social Worker members, individually and as a Board on the basis of their participation in the proceedings of the Board and submit a report to the State Government, the high level committee constituted under sub-section (2) of the section 16 of the Act

and to the Registrar of the High Court and a copy shall also be forwarded to the District Magistrate.

13. Procedure in relation to Children's Court and Monitoring Authorities.-(1)

Upon receipt of preliminary assessment conducted by the Board, the Children's Court may decide whether there is need for trial of the child as an adult or as a child and pass appropriate orders.

2. Where an appeal has been filed under sub-section(1) of section 101 of the Act against the order of the Board declaring the age of the child, the Children's Court shall first decide the said appeal.
3. Where an appeal has been filed under sub-section (2) of section 101 of the Act against the finding of the preliminary assessment conducted by the Board,
the Sessions Court other than the Children's Court shall first decide the appeal.
4. Where the appeal under sub-section(2) of section 101 of the Act is disposed of by the Session Court other than the Children's Court on a finding that there is no need for trial of the child as an adult, it shall order for sending the case back to the Board to proceed with the inquiry and dispose of the matter according to the provisions of the Act and these rules.
5. Where the appeal under sub-section (2) of section 101 of the Act is disposed of by the Sessions Court other than the Children's Court on a finding that the child should be tried as an adult, the Children's Court shall call for the file of the case from the Board and dispose of the matter as per the provisions of the Act and these rules:

Provided that, the decision of the Sessions Court shall have no bearing on the power of Children's Court to treat a child under item
(i) sub-section (1) of section 19 of the Act, if it so decides.

6. The Children's Court shall record its reasons while arriving at a conclusion whether the child is to be treated as an adult or as a child.
7. Where the Children's Court decides that there is no need for trial of the child as an adult, and that it shall decide the matter itself:

- (i) It may conduct the inquiry as if it were functioning as a Board and dispose of the matter in accordance with the provisions of the Act and these rules;
- (ii) The Children's Court, while conducting the inquiry shall follow the procedure for trial in summons case under the Bharatiya Nagarik Suraksha Sanhita 2023 (Central Act 46 of 2023);
- (iii) The proceedings shall be conducted in camera and in a child friendly atmosphere, and there shall be no joint trial of a child alleged to be in conflict with law, with a person who is not a child;
- (iv) When witnesses are produced for examination, the Children's Court shall ensure that the inquiry is not conducted in the spirit of strict adversarial proceedings and it shall use the powers conferred by section 168 of the Bharatiya Sarshya Adhiyam 2023 (Central Act 47 of 2023);
- (v) While examining a child in conflict with law and recording the child's statement, the Children's Court shall address the child in a child-friendly manner in order to put the child at ease and to encourage the child to state the facts and circumstances without any fear, not only in respect of the offence which is alleged against the child, but also in respect of the home and social surroundings and the influence to which the child might have been subjected;
- (vi) The dispositional order passed by the Children's Court shall necessarily include an individual care plan in Form 7 for the child in conflict with law concerned, prepared by a Probation Officer or Child Welfare Officer or recognized voluntary organisation on the basis of interaction with the child and his family, where possible;
- (vii) The Children's Court, in such cases, may pass any orders as provided in sub-sections (1) and (2) of section 18 of the Act; and
- (viii) The Children's Court shall seek the views of Psycho-social experts before passing orders under sub-sections (1) and (2) of Section 18.

8. Where the Children's Court decides that there is a need for trial of the child as an adult:

- (i) The Children's Court shall not sit on a raised platform and there shall be no barriers, such as witness boxes or bars between the Court and the child;
- (ii) It shall follow the procedure prescribed by the Bharatiya Nagarik Suraksha Sanhita 2023 (Central Act 46 of 2023) of trial by sessions and maintaining a child friendly atmosphere;
- (iii) The final order passed by the Children's Court shall necessarily include an individual care plan for the child as per Form 7 prepared by a Probation Officer or Child Welfare Officer or recognised voluntary organisation on the basis of interaction with the child and the child's family, where possible;
- (iv) Where the child has been found to be involved in the commission of the offence, the child may be sent to a place of safety till the age of twenty-one years;
- (v) While the child remains at the place of safety, there shall be yearly review by the Probation Officer or the District Child Protection Unit or a Social Worker in Form 13 to evaluate the progress of the child and the reports shall be forwarded to the Children's Court;
- (vi) The Children's Court may also direct the child to be produced before it periodically and at least once every three months for the purpose of assessing the progress made by the child and the facilities provided by the institution for the implementation of the individual care plan. In case of any deficiency or lapse in the provision of services and facilities, the Children's Court shall pass additional orders to concerned authorities to address the deficiencies or lapses;
- (vii) When the child attains the age of twenty-one years and is yet to complete the term of stay, the Children's Court shall,
 - a. interact with the child in order to evaluate whether the child has undergone reformatory changes and if the child can be a contributing member of the society.

- b. take into account the periodic reports of the progress of the child, prepared by the Probation Officer or the District Child Protection Unit or a Social Worker, consider the efforts or lapses, as the case may be, in the place of safety towards reformation and mainstreaming of the child and further direct that institutional mechanism if inadequate be strengthened.
- c. After making the evaluation, the Children's Court may decide to:

- (aa) release the child forthwith;

- (ab) release the child on execution of a personal bond with or without sureties for good behaviour;

- (ac) release the child and issue directions regarding education, vocational training, apprenticeship, employment, counselling and other therapeutic interventions with a view to promoting adaptive and positive behaviour etc.;

- (ad) release the child and appoint a monitoring authority for the remainder of the prescribed term of stay. The monitoring authority, where appointed shall maintain a Rehabilitation Chart for the child in Form 14.

(viii) For the purpose of sub-rule (vii) (c) (ad) of this rule:

- a. A Probation Officer or Case Worker or Child Welfare Officer or a fit person may be appointed as a monitoring authority.
- b. The District Child Protection Unit shall maintain a list of such persons who can be engaged as monitoring authorities which

shall be sent to the Children's Court along with bi- annual updates.

- c. The child shall for the first quarter after release, meet with the monitoring authority on a fortnightly basis or at such intervals as may be directed by the Children's Court. The monitoring authority shall fix a time and venue for such meetings in consultation with the child. The monitoring authority will forward its observations on the progress of the child on a monthly basis to the Children's Court.
 - d. At the end of the first quarter the monitoring authority shall make recommendations regarding the further follow up procedure required for the child.
 - e. Where the child, after release is found to be indulging in criminal activities or associating with people with criminal antecedents, he shall be brought before the Children's Court for further orders.
 - f. If it is found that the child no longer requires to be monitored, the monitoring authority shall place the detailed report with recommendations before the Children's Court, which shall issue further directions either terminating the monitoring or for its continuation.
 - g. After the first quarter, the child shall meet the monitoring authority at such intervals as may be directed by the Children's Court based on the recommendations made by the monitoring authority at the end of the first quarter and the monitoring authority shall forward its report to the Children's Court which shall review the same every quarter.
- (ix) Any Children's Court, to which a case has been transferred by the Board, shall have a duty to inform the child that an appeal may be filed against the order of the Board before the court of sessions and shall accord due time and opportunity to the child to file such appeal and if the child require legal assistance for this purpose, the Children Court shall direct the District Legal Services Authority to provide legal assistance to such child for filing such appeal.

14. Sending of a child to an observation home or place of safety.-(1)

Admission of a child in the observation home or a place of safety shall be made at any time for the purpose of sub-section (2) and (3) of section 12 of the Act and the officer in charge of the observation home or a place of safety is bound to receive the child.

2. No child shall be admitted in the observation home or a place of safety without proper placement order by the Board. No child other than a child in conflict with law shall be kept in an observation home or a place of safety:

Provided that a child in conflict with the law may also be admitted in the observation home or a place of safety on a written requisition made by the officer in charge of a police station to the officer in charge of the observation home or a place of safety in Form 14A.

3. The officer in charge of an observation home or place of safety shall furnish a report to the Board in case of any admission made on the requisition received from the police.

4. The officer in charge of an observation home or place of safety shall be personally responsible to ensure that no child is unauthorisedly admitted.

- 15. Destruction of records.-** The records of conviction in respect of a child in conflict with law shall be kept in safe custody till the expiry of the period of appeal or for a period of seven years, and no longer, and thereafter be destroyed by the Person-in-charge or Board or Children's Court or local police or Special Juvenile Police Unit as the case may be:

Provided that in case of a heinous offence where the child is found to be in conflict with law under clause (i) of sub-section (1) of section 19 of the Act, the relevant records of conviction of such child shall be retained by the Children's Court.

- 16. Guidelines on Diversion.-**The State Government shall frame appropriate guidelines for the police, Board, and other functionaries to facilitate diversion of children from judicial proceedings.

17. Run away child in conflict with law.- (1) If a child in conflict with law, runs away from a child care institution, the following action shall be taken within twenty-four hours, namely:-

- (i) the Person-in-charge of the child care institution shall immediately send a report to the area Police Station or Special Juvenile Police Unit or Child Welfare Police Officer along with the details and description of the child, the identification marks and a photograph, with a copy marked to the Board or the Children's Court and the Department of Integrated Child Protection Scheme.
 - (ii) the parents or guardians shall be informed immediately;
 - (iii) the Person-in-charge of the child care institution shall hold an inquiry and send the report to the Board, the Children's Court and the Department of Integrated Child Protection Scheme. The details of the child shall also be uploaded on the designated portal.
- (2) When the runaway child is apprehended again, the said fact shall be notified to all the persons/authorities concerned.
- (3) If the child is untraceable for 48 hours then, the child shall be treated as a missing child and a First Information Report shall be lodged.

CHAPTER IV

CHILD WELFARE COMMITTEE

- 18. Composition and Qualifications of Members of the Committee.-** (1) One or more Committees shall be constituted in each district as per need, by the State Government through a notification in the Official Gazette.
- 2. The Chairperson and members of the Committee shall be appointed by the State Government on the recommendation of the Selection Committee under rule 100 of these rules.
 - 3. The Committee shall consist of a Chairperson and four other members including at least two women.
 - 4. The Chairperson and the members shall:

- a. be a person not less than thirty-five years of age and not more than sixty-five years of age on the last date for receipt of applications for appointment as a member of the Committee,
- b. have at least seven years of experience of active involvement in working with children in the field of education, health, or welfare activities, or,
- c. should be a practicing professional with a graduate degree in social work or child psychology or psychiatry or sociology, or law or human health or education or special education for differently abled children and has been actively involved in health, education or welfare activities pertaining to children for seven years or is a practicing professional with a degree in child psychology or psychiatry or law or social work or sociology or human health or education or human development or special education for differently abled children:

Provided that, in the absence of suitable candidates who meet the above, the following may be considered,-

- a. graduate in social work or health or education or psychology or sociology or rural development or women studies or development studies or public administration and having at least five years of experience working with children in the field of education, health, welfare or protection activities;
 - b. graduate in any discipline along with diploma or certificate in child protection or counselling or child development or child rights or human rights or women studies or criminology or anti human trafficking or health or public health; and
 - c. not more than two members selected for a Committee shall be from the same fields of practice or profession or academic qualification.
5. A Chairperson or member of the Committee shall be eligible for appointment for a maximum of two terms, subject to the person's performance in the previous term:

Provided that nothing contained in this sub-rule shall be a bar in case of a member being appointed as Chairperson;

Explanation: For the purpose of counting number of terms, a person who, in the period preceding the date of these rules

coming into force, has been notified as a member or Chairperson on the Committee, and has served as such for a period that sums up to more than a year would be deemed to have served one term.

6. The term of the Chairperson or a member of the Committee may be renewed for another term by the State Government on the recommendation of the Selection Committee based on a performance appraisal by the District Magistrate.

Provided that in such cases where the term of the Chairperson or a member of the Committee is extended by the State Government, due to delays in the selection of new members, such extension, even if it exceeds one year, may be made without a performance appraisal, and such extension period shall not be deemed as a term.

7. The person applying for the post of the Chairperson or member of the Committee shall submit an affidavit, as per Form 49, certifying that the applicant is not barred by any of the conditions laid down in subsection 4A of section 27 of the Act. The appropriate Government shall then verify the same as per norm.
8. Any person working in the implementation of the Act in any Non-Government Organisation or any organisation, performing such functions which may cause conflict of interest in discharge of their duties as the Chairperson or member of the Committee shall not be eligible for appointment as the Chairperson or member of the Committee; and the State Government shall within a period of three months of the notification of these Rules, issue guidelines for the Selection Committee in this regard.
9. The term of the Chairperson and members of the Committee shall not be more than a period of three years from the date of appointment. The existing Chairperson and members shall continue to hold office until their successors assume office or for an additional period of six months whichever is earlier.
10. The District Magistrate shall carry out performance appraisal under sub-rule (7) once in every three months but not later than six months in the format prescribed by the Directorate of Child Protection.

11. The District Magistrate shall also record findings of any inquiry under sub section (27) of section 7.
12. If any complaint is made against a Chairperson or member of the Committee, the State Government shall hold an inquiry and if necessary, suspend the person immediately pending inquiry. The inquiry shall be completed within a period of two months and the State Government may take appropriate action within one month of completion of the inquiry.

Provided that if the complaint relates to a grievance arising out of the functioning of the Committee, the District Magistrate shall take cognizance and act in accordance with sub-section (10) of section 27 of the Act and these rules.

13. No Chairperson or member of the Committee shall be removed without an inquiry conducted by the State Government and until that person has been given an opportunity of being heard in the matter.
14. If a criminal case is registered against the Chairperson or member concerned, the Government shall suspend the concerned Chairperson or member, immediately pending inquiry, for such term as appropriate, and subsequently hold an inquiry and give an opportunity of being heard in the matter.
15. The District Magistrate shall forward the performance appraisal to the State Government through the Director, Directorate of Child Protection.
16. Any vacancy in the Committee shall be filled by appointment of another person from the panel of names prepared by the Selection Committee before the end of the notice period of the outgoing member of the Committee or within forty-five days of the vacancy arising.

Provided that, the panel of selected persons shall be valid for a period of three years from the date of the publication of the notice of candidates who have been selected.

Provided further that, a Chairperson and members of the Committee shall, on the basis of an extension order from the State Government, continue to hold office even after completion of a term until their successor assumes office, provided that such

extension shall not be for more than six months under any circumstances.

Where there has been delay in appointment of the Chairperson or members due to unforeseen circumstances, the State Government may consider appointing persons from the waiting list or persons who have been appointed by the State Government to the Committee in the past, including persons who have resigned from the Committee and are now willing to resume work.

Provided that, such person has not been convicted of an offence involving moral turpitude and such conviction has not been reversed or he has not been granted full pardon in respect of such offence;

Provided further that, the tenure of such persons will be co-terminus with the tenure of the current Committee

17. Any person, whose appointment as a member of the Committee has been terminated under clause (iii) of sub-section (7) of section 27 of the Act, shall not be eligible for further appointment as member of the Board.
18. All persons, on selection shall mandatorily be given training under rule 102 within a period of sixty days from the date of appointment, but before assuming office.
19. The Chairperson or member of a Committee may resign at any time by giving one month's notice in writing to the State Government through the Director of the Directorate of Child Protection.
19. **Rules and Procedures of Committee.**-(1) The Chairperson and members of the Committee shall be paid such sitting fees as notified by the State Government from time to time. The members shall be paid not less than rupees one thousand five hundred per sitting which shall include sitting allowance, travel allowance and any other allowance, as the State Government may notify in this regard.

Additional travel allowance shall be provided to the members of the Committee for visiting Child Care Institutions or foster families or fit facilities, and participating in training, workshops, or official meetings if official arrangements for the same have not been provided.

2. A visit to an existing child care institution, Foster Family or Fit Facility by the Committee, or participating in a training organised by or through the District Child Protection Unit or State Child Protection Society, or a Department of the State Government or Central Government, shall be considered as a sitting of the Committee for the purpose of payment of honorarium after a report is duly submitted to the District Child Protection Unit by the member in this regard.
3. The Committee shall hold its sittings in the premises of a 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 for children in need of care and protection, by rotation if required. The schedule for such rotation shall be published by the Committee in a prominent place and shall be informed to the District Child Protection Unit.
4. The Committee shall ensure that no person(s) un-connected with the case remains present in the room when the proceeding is in progress:

Provided that, a family member, a guardian, a friend or a relative, in whom the child victim has trust or confidence and a Support Person assigned by the Child Welfare Committee under the Protection of Children from Sexual Offences Rules, 2020 shall be present when the child victim appears before the Committee.

Provided further that the Committee, District Child Protection Unit or State Government may allow students, researchers, and others with a bonafide interest in the working of the Committee and the juvenile justice system to be present, after the child is informed about this in a manner the child is able to understand; the child's comfort level is taken into consideration; such person does not

interfere with the proceedings and gives an undertaking as per Form 1A.

5. The Committee shall ensure that only those person(s), in the presence of whom the child feels comfortable, shall be allowed to remain present during the sitting.
6. At least one member of the Committee shall always be available or accessible to take cognizance of any matter of emergency and issue necessary directions to any concerned department or agency, including the Special Juvenile Police Unit or the local police. For this purpose the Chairperson of the Committee shall draw up a monthly duty roster of the Committee members who shall be available and accessible every day, including Sundays and holidays. The roster shall include the details of the link member who may be contacted if the member on the duty roster goes on leave or is not accessible. The roster shall be circulated in advance to all the police stations, the Chief Judicial Magistrate or Chief Metropolitan Magistrate, the District Judge, the District Magistrate, the Board, the District Child Protection Unit or the Special Juvenile Police Unit. Oral orders given by members of the Committee shall be ratified at the next sitting.
7. A member intending to avail leave shall officially inform the Chairperson of the Committee, and a Chairperson intending to avail leave shall officially inform the District Magistrate in writing via email or letter and documented in the attendance report submitted to the District Child Protection Officer and the District Magistrate. The intimation shall clearly mention whether leave is sought from attendance at the sitting of the Committee or from the duty roster or from both. A copy of the leave intimation shall also be forwarded to the District Child Protection Unit at least three working days prior to the commencement of leave. If a Chairperson or member is intending to avail leave for more than three consecutive sittings, permission shall be taken from the District Magistrate and information shall be given to the District Child Protection Unit.

Provided that the requirement for prior intimation to the District Child Protection Unit before three working days and permission from the District Magistrate shall be waived in case of

an medical emergency or any other emergency, and the Chairperson or member shall inform the District Child Protection Unit and seek permission from the District Magistrate in writing immediately.

8. The Committee shall sit on all working days for a minimum of six hours commensurate with the working hours of a magistrate court, unless the caseload and pendency is less in a particular district and the State Government concerned issues an order in this regard:

Provided that the State Government may, by notification in the Official Gazette constitute more than one Committee in a district after giving due consideration to the caseload and pendency of the cases, area or terrain of the district, population density or any other consideration.

9. On receiving information about a child or children in need of care and protection, who cannot be produced before the Committee, the Committee shall reach out to the child or children and hold its sitting at a place that is convenient and safe for such child or children at the earliest and not beyond twenty four hours from the time of receiving information about such child or children. For this purpose the District Child Protection Unit shall provide required support to carry out such outreach.
10. The Committee shall hold its sittings in child-friendly premises which shall not look like a courtroom in any manner and the sitting arrangement should be such to enable the Committee to interact with the child face to face.
11. The Committee shall not sit on a raised platform and there shall be no barriers, such as witness boxes or bars between the Committee and the children.
12. The Committee shall be provided infrastructure and personnel by the State Government, through the District Child Protection Unit ,which shall consist of – infrastructure: a well-furnished Committee room with electricity, light and fans, waiting room for children, separate rooms for Chairperson and

members, a record room, a room for Case workers and Probation Officers, room for legal services advocates, counselling and guidance unit, waiting room for parents and visitors, safe drinking water facility and clean toilets; Furniture, such as chairs, tables, file cabinets, computer chairs etc., as per requirement for the Committee room, chambers, offices; Information Technology based logistics, computers with printers, video conferencing facilities, photocopiers with scanner, telephone with internet broadband connection, television for the waiting hall and security guards.

13. The quorum for final disposal of the case by the Committee shall be at least three members. Provided that in case any member or the Chairperson is absent during a proceeding, the same shall be recorded in the order sheet.
14. All orders of the Committee shall be passed taking into account all relevant laws and schemes applicable, and shall make reasoned orders in writing.

Provided that, the Committee may seek the opinion and assistance of experienced professionals from relevant disciplines during the inquiry, where necessary, to determine the best interest of the child.

15. Any dissenting opinion by a member of the Committee, including the Chairperson, shall be recorded on the order sheet with the signatures of the dissenting member.
16. The Chairperson or member of the Committee, who relinquishes office on account of completion of the term or resignation or termination or for any other reason, shall handover all the reports, records, case files, registers, letters including official email communication and all other documents related to children's cases maintained by the Committee or other matters concerning the Committee in their possession, to an officer nominated by the District Child Protection Unit. The District Child Protection Officer or any other officer nominated by the District Child Protection Unit shall be the custodian of records, case files, registers, letters, emails and all other documents related to children's cases maintained by the Committee.

Explanation: The custodian of the records implies the person vested with the duty of keeping the records, case files, registers, letters and all other documents related to children's cases

or Committee at a safe place in the premises of the designated Committee.

17. The Committee shall satisfy itself that the child was not kept in police lock-up or in prison prior to the production of the child before the Committee and that the child was produced before the Committee within twenty four hours of taking charge of the child, excluding the time required for travel from the place, where the child was found, to the place of production of the child before an individual member or the Committee.
18. The Committee shall satisfy itself that, the child has not been subjected to ill treatment or harassment either by the Police or by any other person, who had taken charge of the child for the purpose of bringing the child before the Committee;
19. The Committee shall conduct an assessment of vulnerability of the child before the child is released;
20. The Committee shall restore a child in need of care and protection only on proper verification of the identity of the child, parents or guardian and after addressing the vulnerability of the child.
21. Whenever the Committee orders a child to be kept in a child care institution, it shall record reasons thereof and shall forward to the Officer-in-charge of such institution a copy of the order of placement in Form 18 with all relevant records. A copy of such order shall also be forwarded to the District Child Protection Unit:

Provided that, in the event of a child being ordered to be placed in an institution, not recommended in the social investigation report and the said institution is of the opinion that either due to lack of capacity or if in their assessment the child is unlikely to fit into that institution, or for any other reasons that it may not be possible to take care of the child, it may request the Committee in writing to revise the said order. However, the decision of the Committee after considering such an application shall be final.

22. The Committee may refuse temporary custody of the child to parents, for reasons to be recorded in writing, if it is in the best interest of the child.

23. The Committee shall, suomotu or on receipt of any information, complaint or otherwise, pertaining to any offence against a child in any child care institution, direct the Officer in charge of a Police Station or of the District Child Protection Unit to immediately take action for the rescue or recovery of such child from such situation, and to take further action including coordination with the Departments of labour, health, social welfare and any other agencies involved with the care and protection of children. The Officer-in-charge of the police station shall in accordance with the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) initiate criminal action against the accused;

Provided that for offences committed against any child in need of care and protection other than a child residing in a child care institution, the Committee shall give a complaint or information in writing to the jurisdictional Board, who shall order the police to file a criminal complaint. Provided that where the alleged offender is a child, the Committee shall inform the appropriate Board for further action.

24. The Committee shall initiate action against any form of media, person or individual for publishing any matters relating to the children in need of care and protection, which would affect the best interest of the child;

25. The Committee shall prepare and maintain a list of experts and reputed institutions, including those in the field of law, psychology, counselling and guidance, psychiatry and an empanelled list of language interpreters who are willing to provide such services. The list shall be prepared in consultation with the probation officer and District Child Protection Officer of the district concerned;

26. Wherever the Committee orders a child to be placed in a Children's Home, the reasons for such placement shall be substantiated;

27. If the Committee either on inquiry or on the report of the probation officer or on the report of a medical officer or in any other manner, is satisfied that a child produced before it has been abused physically or sexually or in any other manner, the committee shall direct the police to file a first information report, investigate the case and take

necessary action as per law. The Committee shall also direct the police to furnish to it, a status report on the case, periodically. In case the alleged abuser is a child, the Committee shall direct the police to investigate the case and also refer the matter to the Board for further proceedings;

28. Final or interim orders passed by the Committee shall have stated reasons for the same.

29. The District Child Protection Unit shall submit a monthly report of attendance of each Committee member to the Directorate of Child Protection.

20. **Role and responsibilities of Secretary of Committee.**-(1) The Committee shall be provided a secretary to carry out its functions.

2. The District Child Protection Unit shall appoint a person as a secretary of the Committee.

3. The secretary of the Committee shall assist and support the Committee for discharging their functions effectively, and shall perform following functions, namely:-

(a) take necessary action for the compliance of the decisions of the Committee;

(b) submit the action taken report to the Committee for their perusal and further directions;

(c) coordinate with District Child Protection Unit or other departments or other agency as and when required;

(d) coordinate with probation officers, case workers, child welfare officers and child welfare police officers in the matters related to children in need of care and protection or child victims;

(e) coordinate with other Boards and Committees as and when required;

(f) prepare all necessary reports of the Committee and share it with concerned authorities;

(g) ensure proper maintenance of records of the Committee;

(h) ensure the availability of required infrastructure and human resource to the Committee;

- (i) function as Public Information Officer of the Committee under the Right to Information Act, 2005 (Central Act No.22 of 2005) ;
- (j) perform any other tasks as assigned by the Committee; and
- (k) the secretary of the Committee shall not interfere in judicial proceedings of the Committee.

21. Additional Functions and Responsibilities of the Committee.- (1)

In addition to the functions and responsibilities of the Committee under section 30 of the Act, the Committee shall perform the following additional functions to achieve the objectives of the Act, namely:-

- i. document and maintain detailed case records along with a case summary of every case dealt by the Committee in Form 15;
- ii. maintain a suggestion box cum grievance redressal box at a prominent place in the premises of the Committee and encourage inputs from children and adults alike including from caregivers, Child Care Institutions, and the general public; which shall be operated by the District Magistrate or District Magistrate's nominee and checked at least once in a month.
- iii. ensure smooth functioning of Children's Committees in the child care institutions for children in need of care and protection within its jurisdiction, for realising children's participation in the affairs and management of the said child care institutions and any other matter concerning the well-being of the children;
 - a. Visit every child care institution in its jurisdiction at least once in six months and preferably once in a quarter,
 - b. Quarterly reports of inspection conducted under clause (viii) of section 30 of the Act shall be submitted, as and when required, for the purpose of monitoring under section 109 of the Act;
 - c. A copy of the report of the inspection conducted by the Child Welfare Committee shall also be given to the management of the concerned child care institution before submitting the same to the District Magistrate, and the concerned child care institution shall be given an opportunity to be heard.

(iv) carry out monthly visits to child care institutions and Fit Facilities for Group Foster Care for children in need of care and protection within its jurisdiction, interact with children including the members of Children's Committees and engage with their views, and issue suitable directions for improvement in the institution;

(v) review the Children's Suggestion book at least once in a month; and during every visit in the Child Care Institution and also carry out random one to one and group interaction with children in the Child Care Institutions without the presence of Child Care Institution staff, management and Person-in-Charge to understand concerns and issues of children to determine their well-being and provide inputs and recommendations accordingly to the Child Care Institutions and to the District Child Protection Unit;

(vi) send quarterly information in Form 16 about children in need of care and protection received by it to the District Magistrate with all relevant details on nature of disposal of cases, pending cases and reasons for such pendency, etc;

(a) for the purposes of sub-section (4) of section 40 of the Act, the Committee shall submit quarterly information in Form 16 regarding restored, dead and runaway children to the State Government and the District Magistrate;

vii. wherever required, issue rehabilitation chart in Form 14 to children in need of care and protection to monitor their progress;

viii. maintain the following records in a register:

a. prepare a daily cause list of the cases before it and next date for each case;

b. entries and particulars of children brought before the Committee and details of the Child Care Institution where the children are placed or the address where the children are sent;

- c. execution of surrender deeds;
 - d. movement including visits to institutions;
 - e. children declared legally free for adoption;
 - f. children recommended for or placed in sponsorship;
 - g. children placed in individual or group foster care;
 - h. children transferred to or received from another Committee;
 - i. children for whom follow up is to be done;
 - j. children placed in aftercare;
 - k. inspection record of the Committee;
 - l. record of minutes of the meetings of the Committee;
 - m. correspondence received and sent; and
 - n. any other record or register which the Committee may need to maintained for the effective implementation of the Act .
- ix. All information listed in clause (viii) of this rule may be digitised and for this purpose a software may be developed by the State Government, provided that case records of at least seven years are maintained online, and all previous records are archived in a manner that they are accessible forever for children placed in adoption and until the child completes 25 years for all other children in need of care and protection;

Provided that a records management system is developed and maintained for physical records by the Committee in a manner that ensures access to only authorized personnel on a need to know basis, while respecting confidentiality and integrity of the information concerning the child, and such system is integrated with the said software.

- x. Hold periodic meetings with the Superintendent or Person-in-charge of child care institutions, representatives of concerned non-governmental organisations, Social Workers or Case Workers, Special Juvenile Police Units or Child Welfare Police

Officers, Anti-Human Trafficking Unit officers and any other stakeholders to discuss specific issues that may arise; keep information about and take necessary follow-up action in respect of missing children in their jurisdiction;

- xi. ensure that free legal services are provided to the child by the State or District or Taluka Legal Services Authority;
- xii. Initiate convergence meetings with other Child Welfare Committees or other stakeholders with assistance from the District Child Protection Unit.
- xiii. participate in periodic meetings with the person-in-charge of child care institutions, representatives of concerned non-governmental organisations and Social Workers, Case Workers, Special Juvenile Police Unit, Child Welfare Police Officers, Anti-Human Trafficking Unit Officers, Labour Department, Child Protection Committee at village, block and taluk level and such other individuals, agencies, and Departments as may be required, in order to discuss and plan for issues relating to the well-being of children, individual care plans and other necessities of children, services available and accessible to them, making institutions child-friendly spaces, and other issues specific to restoration and rehabilitation of children as may arise from time to time;
- xiv. take suo-moto cognizance for the purpose of care and protection of children in need of care and protection based on any information or complaint.
- xv. direct that a complaint be filed against any violation of Section 74 for disclosing the name, address or school or any other particular, which may lead to the identification of a child in need of care and protection without permission from the Committee;
- xvi. ensure that the District Child Protection Unit carries out monthly monitoring visits to all Foster Families and submits a report to the Committee;
- xvii. Coordinate and liaison with State or District or Block level Legal Services Authority or Karnataka High Court Legal Services Committee or Supreme Court Legal Services Committee or non-governmental organisations providing free legal aid, as may be the requirement and feasibility, to ensure that free

legal services are made available to children in need of care and protection in case they require such assistance.

- xviii. forward the order based on age determination carried out by the Committee to the District Legal Services Authority for them to enable the registration of birth under sub-section (3) of section 13 of the Registration of Births and Deaths Act, 1969 (Central Act 18 of 1969) in relation to children in need of care and protection who do not have a birth certificate.
- xix. Function as the custodian of property belonging to a child living with or affected by Human Immunodeficiency Virus or Acquired Immune Deficiency Syndrome as per sub-section (1) and (2) of Section 16 of the Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (Prevention and Control) Act, 2017 (Central Act 16 of 2017).
- xx. ensure that children who have no parents or a legal guardian irrespective of their age are expeditiously declared legally free for adoption with the necessary due diligence related to adoption procedures, including tracing of the biological family, within the timeline as provided in the Act, rules and regulations;

Provided that child care institutions managed by Non-governmental organizations may seek financial and other support for this purpose from the District Child Protection Unit.

- xxi. interact with older children living in the Child Care Institutions having no parents or guardians and also with such children living in the Child Care Institutions who are not in contact with their parents or guardians for one year and arrange for counseling for such children to better understand the reasons for the lack of contact between the parents/guardians and the child, and where appropriate, to counsel the child about the benefit of family based care including foster care and adoption;

Provided that the Committee shall first consider placement in foster care for a child who the

Committee has reason to believe may have parents or extended family, before declaring such child legally free for adoption.

- xxii. interact with all concerned both in physical and virtual modes in case of production of the child before the Committee, while giving instructions to the District Child Protection Unit or Specialised Adoption Agency or Child Care Institution, as the case may be, and in the process of declaring a child legally free for adoption.

22. Procedure for hand over.- (1) The Chairperson or a member of the Committee who is leaving office on account of completion of term or resignation, shall

- a. Brief the existing or newly appointed Chairperson and members on the status of cases in which the inquiry is pending, and cases in which the progress of the child as per the Individual Care Plan prepared in Form 7, needs to be reviewed.
- b. Handover all official reports, records, case files, registers, letters, email communication and other documents in their possession relating to children's cases and functioning of the Committee, as well as any assets or moveable property or passwords of emails or digital devices to the Secretary of the Committee, who is the custodian of all records, case files, registers, letters, emails and all other documents relating to children's cases and the Committee and its functioning:

Provided that, the outgoing Chairperson or member shall be paid sitting fees for these meetings for a maximum of three days only.

CHAPTER V

PROCEDURE IN RELATION TO CHILDREN IN NEED OF CARE AND PROTECTION

- 23. Production before the Committee.-** (1) Any child in need of care and protection shall be produced before the Committee during the working hours at its place of sitting and beyond working hours before the member as per the duty roster within twenty four hours from the time of first contact excluding the time necessary for journey:

Provided that, where the child cannot be produced before the Committee, within 24 hours, the child may be housed in a registered child care institution or Fit Facility, pending production before the Committee, or alternatively the Committee shall reach out to the child where the child is located and arrange for a sitting at a place that is convenient and safe for such child or children:

Provided further that, in extraordinary situations, when the movement of the child or the Committee is restricted due to unforeseen circumstances, the child may be presented before the Committee through virtual mode and the Committee shall physically interact with the child at the first opportunity:

Provided further that, a sitting may be conducted inside a child care institution for the purpose of production of children in need of care and production housed in the child care institution.

2. The Committee shall ensure that the information regarding the child referred to in this rule is uploaded on a portal, as may be specified by the Central or State Government in this behalf;
3. Whoever produces the child before the Committee shall make a report in Form 17 containing the particulars of the child as well as the circumstances in which the child was received or found.
4. In case of any child who is medically unfit, the person or the organisation who comes in contact with the child in need of care and protection 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:

Provided that, if the child cannot be produced before the Committee, the Committee may also go to the place where the child is.

5. The Committee after interaction with the child may issue directions for temporarily placing the child with the parent/s or guardian or Children's Home pending further inquiry if such placement is in the best interest of the child; and, where such Home is not available in the vicinity of the Committee before which the child is produced, the Committee may direct the placing of the child in safe custody of a fit person or a fit facility, or a Children's Home in a nearby district:

Provided that, the Committee may arrive at an opinion that the person is not a child in need of care and protection, and pass reasoned orders in writing before disposing of the case.

6. The Committee or the member on duty shall issue the order for placing the child in Children's Home in Form 18.
7. The Committee or the member on duty shall order immediate medical examination of the child produced before the Committee or the member on duty, as specified in rule 43(4), if such examination is needed, preferably within 15 days of admission into a child care institution:

Provided that, for all children below one year of age, such examination shall be conducted by a paediatrician. Provided that, any general medical or gynaecological examination of a child shall not be the pre-requisite for production before the Committee or admission into an institution.

Provided further that, a Preliminary Health Check up shall be undertaken for all children admitted into a child care institution within two days and the report of such check-up shall be prepared.

8. In the case of abandoned or lost or orphaned child, the Committee, before passing an order granting interim custody of the child pending inquiry, shall see that the information regarding such child is uploaded on a designated portal.
9. The Committee may, while making an order in Form 19 for placing a child under the care of a parent, guardian or fit person, pending inquiry or at the time of restoration, as the case may be, direct such parent, guardian or fit person to enter into an undertaking in Form

10. Where a child of a mother who is undergoing treatment for mental illness in an establishment described under the Mental Health Care Act, 2017, (Central Act 10 of 2017), the social investigation report must contain a report on the situation of the mother and the reasons for separating the child from the mother and passing an order for suitable placement of the child, particularly in case of children under three years of age.
11. In the case of a child with disability, the order of the Committee shall urge the child care institution to make best efforts to adhere to the requirements of the Mental Health Care Act, 2017 (Central Act 10 of 2017) and The Rights of Persons with Disabilities Act, 2016 (Central Act 49 of 2016) and the respective rules made there under.
12. Where a child is living with Human Immunodeficiency Virus or Acquired Immune Deficiency Syndrome, the order of the Committee placing a child in a child care institution shall urge the child care institution to make best efforts to adhere to the guidelines issued under section 18 of the Human Immunodeficiency Virus or Acquired Immune Deficiency Syndrome (Prevention and Control) Act, 2017 (Central Act 16 of 2017) for care, support and treatment of children living with Human Immunodeficiency Virus or Acquired Immune Deficiency Syndrome.
13. Whenever the Committee orders a child to be kept in an institution, it shall forward to the Person-in-charge of such institution, a copy of the order of short term placement pending inquiry in Form 18 with particulars of the child care institution and parents or guardian and previous record. A copy of such order shall also be forwarded to the District Child Protection Unit.

Provided that, if the child is being placed temporarily in a child care institution or fit facility in a nearby district, a copy of the placement order in Form 18 should be sent to the person-in-charge of that institution, as well as the jurisdictional Child Welfare Committee, the District Child Protection Unit and the Special Juvenile Police Unit of the district where the child is being placed.

Provided further that, the original Child Welfare Committee will continue to hold jurisdiction on the case.

14. Any institution, even if not registered under the Act, shall produce children in need of care and protection housed therein before the Committee.

24. **Procedure for inquiry.-** (1) The Committee shall inquire into the circumstances under which the child is produced, hear all concerned parties including the child, parents or guardian of the child, if any, and determine whether such child to be a child in need of care and protection after recording reasons in writing.

2. The Committee shall, prima facie determine the age of the child in order to ascertain its jurisdiction, pending further inquiry as per section 94 of the Act, if need be.

3. When a child is brought before the Committee, the Committee shall assign the case to a Social Worker or Case Worker or Child Welfare Officer or designated officer by the District Child Protection Unit or to any recognised non-governmental organisation for conducting the social investigation under sub-section (2) of section 36 of the Act through an order in Form 21.

Provided that the Committee shall verify that all such Social Investigation Reports have been prepared with due diligence, including through a home visit and information gathering from other sources, as well as expert opinion where required.

4. The Committee, while disposing a case and placing a child in an institution shall ensure that the institution is a registered child care institution under section 41 of the Act or a fit facility declared under section 51 of the Act;

Provided that no child shall be placed in a Child Care Institution which has applied for registration but has not yet been registered.

5. In case of placement of the child in non-institutional care, the Committee shall direct the District Child Protection Unit concerned to develop an individual care plan in Form 7 and in case of institutional care, shall direct the management of the Child Care Institution concerned to develop an individual care plan in Form 7, which includes a rehabilitation plan.

6. The individual care plan prepared for every child whether in the institutional care or non-institutional care shall be developed based on the case history, circumstances and individual needs of the child.

Explanation: For the purposes of this sub-rule, the expression non-institutional care does not include adoption.

7. The Committee shall ensure that for every child in need of care and protection, the progress of the child's Individual Care Plan is reviewed and revised every month for the first three months and once every quarter thereafter, taking into account the wishes and views of the child, as well as the non-offending family members or guardian (if any) as appropriate, in the best interest of the child.
8. The inquiry shall satisfy the basic principles of natural justice and shall ensure the informed participation of the child and the parent or guardian. The child shall be given an opportunity to be heard and the child's opinion shall be taken into consideration with due regard to the child's age and level of maturity. The orders of the Committee shall be in writing and contain reasons.
9. The Committee members shall communicate with the child in a child-friendly and child sensitive manner. Each member shall adopt a child friendly attitude with regards to body language, facial expression, eye contact, intonation and volume of voice while addressing the child, keeping in mind the dignity of the child. In the hearing involving the first production of the child, preferably one member of the Committee shall interview the child sensitively and in a child friendly manner taking into account the child's circumstances, age, gender, and disability of the child, as the case may be.
10. The child's right to be heard freely shall be respected. All necessary support and information that enables the child to be heard shall be provided, with due regard to age, maturity and mode of communication.
11. The right of the parents or guardian to participate in and be heard during the inquiry shall be respected.
12. The Committee shall satisfy itself through documents and verification reports, before releasing or restoring the child, as per Form 19, in the best interest of the child.

The Committee may direct the Special Juvenile Police Unit or the Child Welfare Police Officer or any other concerned Department or agency, to verify the authenticity of the documents:

Provided that, before passing orders for release or restoration, the Committee shall make its own assessment of the child's vulnerability based on interactions with the child and other persons connected with the child, the Social Investigation Report of the child and such other materials and records that may be placed before the Committee, and arrive at a determination in the best interest of the child with reasons in writing.

13. The social investigation conducted by a Social Worker or Case Worker or Child Welfare Officer of the institution or designated officer by the District Child Protection Unit or any non-governmental organisation shall be as per Form 22 and must provide an assessment of the family situation of the child in detail, and explain in writing whether it will be in the best interest of the child to be restored to the family.

(a) The District Child Protection Unit after completing the social investigation within fifteen days shall submit the report to the Committee.

14. Before the Committee releases or restores the child, both the child as well as the parents or guardians may be referred to the Counsellor, and the counsellor's report shall be taken into account while preparing the pre-release plan.
15. The Committee shall maintain and use an effective case management system including the maintenance of proper records of the children produced before it including medical reports, social investigation reports, any other reports and orders passed by the Committee in regard to the children appearing before it.
16. In all cases pending inquiry, the Committee shall notify the next date of appearance of the child not later than fifteen days of the previous date and

also seek periodic status report from the child's Social Worker or Case Worker or Child Welfare Officer on each such date.

17. In all cases pending inquiry, the Committee shall direct the person or institution with whom the child is placed to take steps at the earliest for rehabilitation of the child including educational and recreational activities, education, vocational training, etc., from the date of first production of the child itself.
18. Any decision taken by an individual member, when the Committee is not sitting, shall be ratified by the Committee in its next sitting.
19. At the time of final disposal of a case, there shall be at least three members present including the Chairperson, and in the absence of Chairperson, a member so nominated by the Chairperson to act as such.
20. The Committee shall function cohesively as a single body sitting together as a multidisciplinary bench and as such shall not form any sub-committees.
21. Where a child has to be sent or repatriated to another district or state or country the Committee shall direct the District Child Protection Unit to take necessary permission as may be required, such as approaching the Foreigners Regional Registration Offices, Ministry of Home affairs and Ministry of External Affairs for a no-objection certificate, contacting the counterpart Committee, or any other voluntary organisation in the other district or state or country where the child is to be sent.
22. At the time of final disposal of the case, the Committee shall incorporate in the order of disposal, an individual care plan in Form 7 of such child prepared by the Social Worker or Case Worker or Child Welfare Officer of the institution or designated officer by the District Child Protection Unit or any non-governmental organisation, as the case may be.
23. While finally disposing of the case, the Committee shall specify the period and frequency of progress review of the child and give a date for follow-up of the child not later than one month from the date of disposal of the case and thereafter once every month for the period of first six months and thereafter every three months for a minimum of one year or till such time as the Committee deems fit.
24. Where the child belongs to a different district, the Committee shall forward the age determination order, case file and the individual care plan to the

Committee of the district concerned which shall likewise follow-up the individual care plan as if it had passed such disposal order.

25. The individual care plan shall be monitored by means of a rehabilitation chart in Form 14 issued for the purpose by the Committee passing the disposal order which shall form part of the record of the Committee which is responsible for following up the implementation of the individual care plan. Such rehabilitation chart shall be maintained by the Rehabilitation- cum - Placement Officer.
26. All orders passed by the Committee in respect of a child in need of care and protection shall also be uploaded on the designated portals with due regard to the confidentiality and privacy of the child.
27. While holding the inquiry relating to a child in need of care and protection, who was found to be engaged or kept in bondage for the purpose of employment or whose earnings have been withheld, the Committee will, also order for the recovery of the earnings of the child withheld and the Committee, while so ordering recovery, shall be guided by the prescribed rate of minimum wages payable to an unskilled adult worker.
28. The Committee shall ensure that when a parent or guardian, wishes to surrender a child under sub-section (1) of section 35 of the Act, such parent or guardian shall make an application to the Committee in Form 23 along with supporting documents as specified in Form 23 to ascertain whether the persons surrendering the child are the parent(s) of the child;.
29. Where such parent or guardian is unable to make an application due to illiteracy or any other reason, the Committee shall facilitate the same through the Legal cum Probation officer, or the legal aid Counsel provided by the Legal Services Authority. The deed of surrender shall be executed as per Form 24. The Committee may take assistance of child psychologists or trained counsellors to counsel the surrendering parents/ guardians and provide a counselling report. The Committee shall also inform the parents/guardians of the government schemes available to assist them in raising their child within their family.

Provided that, the Committee shall, in Form 24A, take a signed statement from the person surrendering the child, as to whether or not the Committee can contact them for the

purpose of inquiry during the reconsideration period of sixty days and to seek their final views on the surrender of the child after the completion of the sixty day period.

Provided further that, if the surrendering persons do not consent to being contacted, the Committee shall respect their decision, unless it is imperative to contact them in the best interest of the child for reasons recorded in writing

30. The Committee shall pass an order discharging a child from the child care institution after the child attains eighteen years of age, and ensure that the person is offered counselling and information about aftercare. The Committee may consider placing the individual in aftercare for any period upto twenty-one years and for an additional period of two more years in exceptional circumstances as may be required, after obtaining the consent of the person.
31. The inquiry under sub-section (3) of section 35 of the Act shall be concluded by the Committee expeditiously and the Committee, if satisfied, shall declare the surrendered child as legally free for adoption after the expiry of sixty days from the date of surrender.
32. In case of an orphaned or abandoned child, the Committee shall make all efforts for tracing the parents or guardians of the child and on completion of such inquiry, if it is established that the child is either an orphan having no one to take care, or abandoned, the Committee shall declare the child legally free for adoption.
33. In case an abandoned or orphaned child is received by a child care institution including a Specialized Adoption Agency, such a child shall be produced before the Committee within twenty-four hours (excluding the time necessary for the journey) along with a report in Form 17 containing the particulars and photograph of the child as well as the circumstances in which the child was received by it and a copy of such report shall also be submitted by the child care institution or a Specialised Adoption Agency to the local police station within the same period.
34. The Committee shall issue an order in Form 18 for short term placement and interim care of the child, pending inquiry under section 36 of the Act.

35. The Committee shall use the designated portal to ascertain whether the abandoned child or orphan child is a missing child while causing the details of the orphan or the abandoned child to be uploaded.
36. The Committee, after taking into account the risk factors, and in the best interest of the child, shall direct the concerned District Child Protection Unit to publish the particulars and photograph of an orphaned or abandoned child in national newspapers with wide circulation within seventy two hours from the time of receiving the child for the purposes of tracing out the biological parents or the legal guardian. Where the child is from a different State, the publication shall also be done in a newspaper with wide circulation in the place of origin of the child.
37. The Committee, after making inquiry as per the provisions of the Act, shall issue an order in Form 25 declaring the abandoned or orphan child as legally free for adoption and send the same information to the Authority.

Provided that the Committee shall seek a follow-up report from the Specialised Adoption Agency or child care institution, as the case may be, regarding placement of the child in adoption after the child is declared legally free for adoption, and such follow-up report shall be sought every month for the period of first six months and every three months thereafter for a minimum of one year or till such time as the Committee deems fit.

38. Where the parents of the child are traced, the procedure for restoration of the child shall be as per rule 93 of these rules.
25. **Pendency of cases.**-(1) The Committee shall maintain a 'Case Monitoring Sheet' of every case and in case there is more than one child in one case, a separate sheet shall be used for each child. The case monitoring sheet shall be in Form 26. The said Form shall be kept at the top of each case file and shall be updated from time to time. The following points shall be considered so far as 'progress of inquiry' mentioned in Form 26 is concerned:
- (a) time schedule for disposal of the case should be fixed on the first date of hearing; and

(b) scheduled date given in column (2) of 'progress of inquiry' shall be the outer limit within which the steps indicated in column (1) is to be completed.

2. The Committee shall submit a quarterly report to District Magistrate in Form 16 for review of pendency of cases.
3. The District Magistrate shall review the functioning of the Committee including by inspection once every quarter and also appraise the performance of the Chairperson and the members of the Committee annually on the basis of their participation in the proceedings of the Committee orders passed, grievances or complaints or inquiry under sub-section (7) of section 27 against the individual, if any, attendance record, and other such criteria as per Guidelines for Performance review issued by the State Government within six months of the notification of these Rules, and submit a report to the Selection Committee constituted under rule 100 of these rules.
4. Any grievance arising out of the functioning of the Committee may be filed by the affected child or anyone connected with the child before the District Magistrate, who shall dispose the same within a period of thirty days by passing appropriate orders.”.

CHAPTER-VI

REHABILITATION AND SOCIAL RE-INTEGRATION

26. Manner of Registration of Child Care Institutions.-(1)All child care institutions providing residential care services for children in need of care and protection of children in conflict with law, whether run by the Government or voluntary organisation, shall be registered under sub-section (1) of section 41 of the Act, irrespective of being registered or licensed under any other Act for the time being in force.

(2) The Directorate of Child Protection, shall be the Registration Authority to register all such institutions in the State. Such registrations shall be based on the recommendations of the District Magistrate.

(3) All such institutions shall make an application in Form 27 to the District Magistrate together with a copy each of rules, bye- laws, memorandum of association, list of governing body members, office

bearers, list of trustees, balance sheet of preceding three years of the organisation, statement of past record of social or public service provided by the institution to the State Government, Government Darpan Identification from National Institution for Transforming India Aayog and a declaration from the person or the organisation regarding any previous conviction record or involvement by any member of the management or staff working in the organisation in any immoral act or in an act of child abuse or employment of child labour or that it has not been black listed by the Central or State Government or District Administration;

(4) The District Magistrate shall examine the application through the District Child Protection Unit within thirty days from the date of receipt of application and make recommendations based on the need in the district and inspection of the institution in Form 46A to the State Government

(5) The District Magistrate shall verify credibility, financial health, background and previous record of the child care institution and the agency or individual promoting the institution and make specific recommendations to the State Government for consideration.

(6) The following shall be considered by the District Magistrate while making recommendations, namely:—

- (i) registration of the organization under any law for the time being in force; details of registration under sections 12A and 80G of the Income Tax Act;
- (ii) details of physical infrastructure, water and electricity facilities, sanitation and hygiene, recreation facilities and nutrition plan;
- (iii) financial status of the organization, maintenance of books of accounts and statutory registers along with audited statement of accounts and annual reports for previous three years;
- (iv) resolution of the Governing Body to run the institution;
- (v) plan of action for providing services for children such as medical, vocational, educational, counselling, and the like, in case of new applicants and details of such services provided in case of existing institutions ;

- (vi) arrangements of safety, security, transportation and support and access for children with disability;
- (vii) details of other support services run by the organization;
- (viii) the institution is near a school within such area or limits of neighbourhood, as may be prescribed under the Right of Children to Free and Compulsory Education Act, 2009 (35 of 2009);
- (ix) details of linkages and networking with other governmental, non-governmental, corporate and other community based agencies on providing need-based services to the children;
- (x) details of existing staff with their qualification and experience;
- (xi) details of registration under the Foreign Contribution (Regulation) Act, 2010 (42 of 2010), and funds available, if any;
- (xii) a declaration from the person applying for the registration that no member of the staff or the Board of Directors or Governing Body or management of the organization have any previous conviction record or involvement in any immoral act or in an act of child abuse or employment of child labour;
- (xiii) any other criteria as prescribed by the State Government;
- (xiv) while making the recommendation, the District Magistrate shall assess the actual requirement of additional institutions, keeping in mind the occupancy levels of the existing institutions; and
- (xv) certify to the effect that the relevant provisions of the Act and rules have been complied with.

(7) The State Government shall after verifying that facilities exist in the institution for the care and protection, health, education, boarding and lodging facilities, vocational training and rehabilitation of children as per the Act and these rules, confirming that all eligibility conditions in the Act and any other criteria as prescribed by the Centre or the State have been met, and taking into account the requirements of the district and recommendation from the District Magistrate about the applicant institution may issue a registration certification to such institution under sub-section(1) of section 41 of the Act in Form 28:

Provided that, while registering these institutions, the plan for education and the services provided for education and vocational skill training shall be in accordance with the Right of Children to Free and Compulsory Education Act, 2009 (Central Act 35 of 2009) or The Karnataka Education Act, 1983 (Karnataka Act 01 of 1995), the directions issued by the Department of Education, and the Karnataka Skill Development Corporation and other Departments responsible for residential hostels from time to time:

Provided further that, registration may not be refused solely if the institution does not comply with building or accommodation norms, but provides rehabilitation and re-integrative services under sub-section (1) of section 53.

(8) The State Government shall not grant provisional registration where the documents submitted are not complete and where adequate facilities do not exist in the institution applying for registration. The State Government shall issue an order before the expiry of one month from the date of receipt of the application that the institution is not entitled for even provisional registration, after having provided an opportunity to the applicant to be heard, and giving reasons in writing for the decision taken.

(9) Upon granting registration, four follow up visits shall be made in the first year by the District Child Protection Unit. The District Child Protection Unit may use Form 46 as a checklist for such visits and shall interact with children during such visits and record their observations.

(10) The District Magistrate shall ensure a detailed annual inspection of all the institutions in the district which have been registered under the Act and such inspection shall be carried out in the format as provided under Form 46.

(11) The State Government shall ensure a detailed inspection is conducted where provisional registration has been granted or review annually after registration under sub-section (1) of section 41 of the Act, of the facilities, staff, infrastructure and compliance with the

standards of care, protection, rehabilitation and reintegration services and management of the institution or the organisation as laid down under the Act and these rules.

(12) If the quarterly inspection by the Committee, Board or Inspection Committee or the annual review reveals that there is unsatisfactory compliance with the standards of care, protection, rehabilitation and reintegration services and management of the institution as laid down under the Act and the rules or the facilities are inadequate, the State Government shall, at any time, serve notice on the management of the institution and after giving an opportunity of being heard, declare within a period of sixty days from the date of the detailed inspection or annual review as the case may be, that the registration of the institution or organisation, shall stand withdrawn or cancelled from a date specified in the notice and from the said date, the institution shall cease to be an institution registered under sub-section(1) of section 41 of the Act.

(3) On receiving any complaint about the improper functioning, misuse of funds or poor quality of care to children or non-adherence to orders of the Board or Committee in any child care institution registered under the Act, the District Magistrate shall constitute a committee of enquiry and authorize the District Child Protection Officer to facilitate inspection by such committee to evaluate the institution and furnish a report within thirty days from the date of reporting the incident.

(14) When an institution ceases to be an institution registered under the Act or has failed to apply for registration within the time frame laid down in the said provision or has not been granted provisional registration, the said institution shall be managed by the State Government, or the children placed therein shall be transferred by the order of the Board or the Committee, to some other institution, registered under sub-section(1) of section 41 of the Act, or be restored to the care and custody of their parents or lawful guardians after due inquiry, by the order of the Board or the Committee, as the case may be.

(15) All institutions shall be bound to seek renewal of registration three months prior to the expiry of the period of registration and in case of their failure to seek renewal of registration before the expiry of the period of registration of the institution, the institution shall cease to be an institution registered under sub- section (1) of section 41 of the Act and provisions of sub-rule (10) of these rule shall apply.

(16) The institutions applying for registration or for a renewal shall pay the fee notified by the State Government.

(17) The District Child Protection Officer shall give a 'Receipt for the Application of Registration or Renewal' to the institution and such receipt shall be treated as provisional registration to run an institution, until the registration certificate is received, or for a maximum period of six months, from the date of application, whichever is earlier.

(18) The District Child Protection Officer shall ensure that the conditions specified in the Act and these Rules are satisfied and that the details furnished in the applications are correct and updated, and then submit the application to the District Magistrate for the District Magistrate's recommendation. The District Child Protection Officer shall forward the application to the Registration Authority after obtaining the District Magistrate's recommendation.

(19) An application for renewal of registration of an institution shall be disposed of within sixty days from the date of receipt of application.

(20) The decision on renewal of registration shall be based on the annual inspection report done by the District Magistrate under Form 46A in the year in which the renewal is sought.

(21) The Central Government shall facilitate developing a model online system for receipt and processing of applications and grant or

cancellation of registration of child care institutions, and in the interim, the systems existing in the States and Union Territories shall continue.

(22) A complaint to the police for contravention of section 42 of the Act shall be filed by the District Child Protection Officer or any officer authorised by the State Government.

27. Procedure to be followed by institutions registered under the Act for child in need of care and protection.- (1) Upon being granted registration, the institution shall produce all children in need of care and protection as defined in sub-section (14) of section 2 of the Act before the Committee.

(2) Every new admission of a child in need of care and protection as defined in sub-section (14) of section 2 of the Act shall be brought before the Committee by the registered institution.

(3) The registered child care institutions shall submit a report, every quarter to the Committee and the District Child Protection Unit, of all children in the institution for information as per a format prescribed by the State Child Protection Society. The District Child Protection Unit shall forward the same to the District Magistrate.

28. Manner of registration of Group Foster Care.-(1) Every Group Foster Care shall be registered under the Act in a manner as prescribed under these rules.

(2) All such Foster Families willing to undertake children under Group Foster Care shall make an application to the State Government. At the time of application, the Foster Family shall also make declaration under Form 50 regarding any previous conviction record or involvement in any immoral act or in an act of child abuse or employment of child labour or that it has not been black listed by the State Government.

(3) The State Government shall then verify the declaration form of the Foster Family with the concerned Departments/ Agencies and if found

otherwise by the State Government, the Foster Family shall be liable for punitive action and immediate disqualification.

(4) Within a month of receipt of application for registration of Group Foster Care, the application shall be referred to the concerned District Magistrate by the State Government, for conducting inspection of the Group Foster Care and sending its recommendations.

(5) The District Magistrate shall conduct inspection and send its recommendation as per Form 47 within thirty days from the date of receipt of call of recommendation from the State Government.

(6) The District Magistrate while making its recommendations for registration of Group Foster Care shall examine that the Group Foster Care has the following facilities, namely:—

- (a) provide adequate food, clothing and shelter and education;
- (b) provide care, support and treatment for child's overall physical, emotional and mental health;
- (c) ensure protection from exploitation, maltreatment, harm, neglect and abuse;
- (d) provide age and developmentally appropriate facilities for recreation, extra-curricular activities such as sports, music, dance, drama, art, and the like;

Provided that the application is for a group foster care for children with disabilities ensure that the facilities are access friendly and are able to cater to the disabilities and challenges of children placed.

- (e) provide vocational training according to the interests of the child;
- (f) mandatory police verification of all the adults in the group foster care; and
- (g) income tax returns of the adult individuals for the past three years or latest or bank statement or income certificate.

(7) The State Government after considering the recommendations of the District Magistrate and verifying that provisions exist in the facility for the care and protection of

children, health, education, boarding and lodging facilities, vocational facilities, the State Government may issue a registration certificate in Form 48.

(8) The District Magistrate shall ensure a detailed annual inspection to review the group foster care facility after registration of the group foster care as per Form 47.

(9) (a) The Child Welfare Committee shall ensure monthly visits of Group Foster Care through the District Child Protection Unit to check the well-being of the children in the Group Foster Care and identify areas of support needed in Form 35. The District Child Protection Unit shall submit Form 35 to the Child Welfare Committee; and

(b) Child Welfare Committees shall conduct an inspection once a quarter as per Form 47;

(10) The inspection reports of the District Magistrate, the monitoring report of Inspection Committees Foster Care Placement Monitoring Committee, and the Child Welfare Committees shall be shared with the District Child Protection Unit within a period of fifteen days of inspection for taking corrective action.

(11) Wherever the District Magistrate or the Inspection Committees Foster Care Placement Monitoring Committee or the Child Welfare Committee finds the Group Foster Care to be in violation of the provisions of the Act and these rules, the District Magistrate or the Committee shall recommend cancellation of registration of the Group Foster Care to the State Government and forthwith shift the children from the Group Foster Care to a foster family or group foster care or a child care institution by following due process:

Provided that, as far as possible children are shifted to another foster family or group foster home.

29. Open Shelter.-(1) The State Government may establish open shelters by itself or through voluntary or non-governmental organisations.

(2) All organisations and persons who wish to establish open shelters or already running open shelters shall, make an application in Form 27 to the State Government for registration.

(3) The applicants shall submit a report of the need for opening such open shelters along with a survey on the status of children indicating the number of children where the open shelter is proposed to be established. After proper police verification and other inquiry as deemed necessary, the organisation or person may be approved for running the open shelter.

(4) The open shelters shall be registered as provided under subsection (1) of section 41 of the Act in Form 28.

(5) The services provided in the open shelters may include day care and night residential facilities including food, washing facilities and toilets and any other facility as the State Government may deem fit.

(6) The capacity of an open shelter should be such as to accommodate twenty-five to fifty children at one time and shall include a kitchen, dining facilities, bathrooms and toilets, lockers and recreational facilities.

(7) In cases where, the agency in charge of the open shelter finds that a child may require more than short term care and protection exceeding twenty-four hours, such child may be produced before the Committee for appropriate further steps.

(8) The open shelter shall not refuse admission to any child in need of care and protection at any time.

(9) Each open shelter shall send monthly information in Form 29 to the District Child Protection Unit

which will be informed to District Magistrate and the Committee regarding the children availing the services of the open shelter.

30. Foster Care.- (1) The State Government may place children in need of care and protection in foster care, including group foster care, through order of the Committee for a short or extended period of time;

- (a) Before placing the child in foster care the Committee shall exhaust all possibilities of placement of the child in the extended family,
- (b) While placing the child in foster care, the Committee shall ensure the following in order of preference, namely:-

- (i) child is placed in a similar social cultural milieu;
- (ii) first preference shall be given to an unrelated foster family known to the child;
- (iii) second preference shall be given to an unrelated foster family which is not known to the child; and
- (iv) third preference shall be given to Group Foster Care.

(2) The District Child Protection Unit shall be the nodal authority for implementing the foster care programme in a district and shall function under the supervision of the District Magistrate of the district.

(3) All decisions related to placement of a child in foster care shall be taken by the Committee within a period of three months from the date the child has been recommended for foster care placement by the District Child Protection Unit.. Children in the age group of six years and above who are not being adopted after being declared legally free for adoption may be considered for placement in foster care in the circumstances mentioned in sub-rule(1) of rule 53 of these rules. Children below six years of age shall be, as far as possible, placed in adoption.

(4) Children in need of care and protection who are living in community may also be considered for placement in foster care, based on

the child study report in Form 31 prepared by the District Child Protection Unit.

(5) The Committee shall take into consideration the individual care plan of a child living in an institution or the Child Study Report in Form 31 of a child living in the community and the opinion of the child with due regard to the child's age and maturity before deciding the type of foster care. The child shall be informed and prepared throughout the process and the child's consent taken during the final placement with due regard to the child's age and maturity.

(6) Foster care may be for short term or long term depending upon the needs of the child. The duration of short term foster care shall be for a period of not more than one year:

Provided that no child regarded as adoptable by the Committee, shall be placed in long term foster care as per sub-section (9) of section 44 of the Act.

(7) Long term foster care, shall be for a period exceeding one year. This can be periodically extended by the Committee till the child attains eighteen years of age, on the basis of assessment of the compatibility of the child with the foster care parents or the group foster care setting. Recognising that every child has the right to grow in a family environment, every attempt shall be made to reunite the child with the biological family, if possible and in the best interest of the child.

(8) The Committee before placing the child in foster care shall obtain a Home Study Report of the prospective foster family through the District Child Protection Unit in Form 30 . The District Child Protection Unit shall submit the Home Study Report of the prospective foster family to the Committee within thirty days from the date of receipt of the application by the District Child Protection Unit.

(9) Children with special needs may be considered either for placement in foster family or group foster care, provided the Home Study Report of the foster family supports their fitness or group setting has facilities for care of such children.

(10) The District Child Protection Unit, while selecting foster families shall apply the following eligibility criteria:-

- (i) single adult or spouses
- (ii) must be Indian citizens;
- (iii) if married couple, both spouses must be willing to foster the same child;
- (iv) single adult or each of the spouses must be above the age of 35 years and below the age of 65 years. They must be in good physical, emotional and mental health:

Provided that, the lower age limit may be relaxed after recording reasons, if a child below six years is being placed and the family is found economically and emotionally stable. Under no circumstances shall either spouse be younger than 29 years. The reasons for such an exception shall be included in the Home Study Report for the Committee to consider while deciding the placement of a child.

- (v) ordinarily the foster family should have an income with which they are able to meet the needs of the child;
- (vi) medical reports including mental health records of all the members of the foster family residing in the premises shall be obtained including reports for the Human Immunodeficiency Virus, Tuberculosis (TB) and Hepatitis-B or any other contagious disease, etc., to determine that they are medically fit:

Provided that, disclosure of reports for Human Immunodeficiency Virus is voluntary and members of the foster family cannot be compelled to disclose Human Immunodeficiency Virus status, except in accordance with section 8 of the Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (Prevention and Control) Act, 2017 (Central Act 16 of 2017); and

- (vii) the foster family must have adequate space and basic facilities to accommodate the number of children they are being assessed for;
- (viii) no member of the foster family or the foster caregiver in case of a group foster care setting has any criminal record;

- (ix)no member of the foster family has a history of having abused, exploited or neglected a child;
- (x) there is a stable emotional environment within the foster family;
- (xi)the foster parents have an income to meet their needs and are not dependent on the foster care maintenance payment;
- (xii) the minimum age gap of the child and each of the foster parents is more than twenty five years;
- (xiii) a single adult has a family support system; and
- (xiv) A single male adult shall not be eligible to foster a girl child.

(11) The District Child Protection Unit, while selecting Group foster care setting shall consider the following illustrative criteria:

- (i) the Group Foster Care setting shall be registered under rule 27A of these rules and the inspections of the Group Foster Care setting shall be conducted as per provisions laid under these rules;
- (ii) the Group Foster Care setting having registration under rule 27A of these rules shall follow the norms and standards as given under the Act and these rules and the norms and standards as laid down under these Rules shall be applicable as per children placed in Group Foster Care, which is a maximum number of eight children including biological children of the foster caregiver;
- (iii)the Group Foster Care has an understanding of the standard operating procedure in the foster care guidelines notified by the State Government for dealing with complaints and child rights violations;
- (iv)sufficient space and proper amenities for children;
- (v) medical reports including mental health records of all the members of the residing in the premises shall be obtained including reports for the Human Immunodeficiency Virus, Tuberculosis (TB) and Hepatitis-B or any other contagious disease, etc., to determine that they are medically fit:

Provided that, disclosure of reports for Human Immunodeficiency Virus is voluntary and members of the group foster care facility cannot be compelled to disclose Human Immunodeficiency Virus status, except in accordance with section 8 of the Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (Prevention and Control) Act, 2017 (Central Act 16 of 2017); and

(vi) any facility housing more than eight children including biological and adopted children in shall be registered as a Child Care Institution.

(12) The process for selection of Foster family or Group foster setting shall be notified by the State Government.

(13) The Committee shall pass the final order in Form 32 for placing the child in foster care, specifying the period for which the child is placed in foster care.

(14) The foster family or group foster care givers shall sign an undertaking for foster-care of the child in Form 33.

(15) The District Child Protection Unit shall maintain a record of each child in foster care in Form 34.

(16) After the final order for foster care placement is passed in Form 32, the Committee shall ensure monthly visits of the foster families or group foster care in Form 35 to check the well-being of the child placed in short term foster care for the period of first six months and thereafter every three months for a minimum period of one year or till such time as the Committee deems fit.

(17) The foster family or group foster care givers shall:

- (i) provide adequate food, clothing and shelter and education;
- (ii) provide care, support and treatment for child's overall physical, emotional and mental health;
- (iii) ensure protection from exploitation, maltreatment, harm, neglect and abuse;
- (iv) provide age appropriate facilities for recreation, extra-curricular activities such as sports, music, dance, drama, art etc.;
- (v) provide vocational training according to the interests of the child;
- (vi) respect the privacy of the child and the biological family or guardian, and acknowledge that any information provided about them is confidential and is not to be disclosed to another party without prior consent;

- (vii) provide treatment in emergent situations and inform the Committee and biological family about the same, which may pass appropriate orders wherever necessary;
- (viii) support contact between the child and the child's biological family in consultation with the Committee, keeping in view the best interest of the child;
- (ix) share and discuss the information pertaining to the progress of the child periodically with the Committee and biological family of the child and produce the child before the Committee as and when directed by the Committee; and
- (x) ensure that the child's whereabouts are known at all times, including reporting any changes of address, holiday plans and any episodes of running away of the child to the Committee.

(18) The Committee shall ensure that counselling is given to the biological parent or parents or legal guardian about the foster care placement of the said child and their consent is taken before such placement.

(19) The Committee shall ensure that all efforts are made to keep siblings together in foster care placement, unless it is not in their best interest:

Provided that, an order for separation of siblings shall be done only in extraordinary circumstances, with reasons in writing, and that when such order is passed, it shall include orders for regular sibling visits, which shall be facilitated.

(20) While passing an order for foster care, the Committee shall ensure that the number of children placed under foster care with a foster family shall not exceed two at any given point of time; the total number of children in the foster family including biological and adopted children shall not exceed four; and the total number of children in the group foster care setting shall not exceed eight including biological and adopted children, except in case of siblings being placed in foster care in such foster families or group foster care setting.

(21) The foster family or group foster care shall be black listed from the foster care programme and shall also not be eligible to adopt a child under the Act:

- (a) if the foster family or persons in group foster care are convicted of an offence involving moral turpitude, and such conviction has not been reversed or has not been granted full pardon in respect of such offence; and
- (b) if a complaint, of child abuse or violation of human rights or child rights, registered against the foster family or persons in group foster care has been proven by the State Government, based on an inquiry.

Explanation: For the purpose of this rule, a blacklisted foster family or group foster family shall not be eligible to apply for foster care.

(22) The State Government shall frame Guidelines for non-institutional care including foster care in compliance with the Act and these rules within a period of three months from the date of notification of these rules, which shall form the basis of the Foster Care program to be implemented in the State.

31. Withdrawal of a Child from Foster Care.- (1) The Committee, after considering the recommendations of the District Child Protection Unit and the views of the child and the biological family, may withdraw a child from a foster care placement in the child's best interest under the following circumstances:-

- (a) When the child attains the age of 18 years;
- (b) When the child can be restored to the biological family and such restoration is in the child's best interest;
- (c) When the child is matched with a prospective adoptive family for adoption under the Act;
- (d) When the Foster Family or group foster care setting and the child are unable to adjust even after post- placement counselling sessions;
- (e) When the Foster Family or group foster care setting do not want to continue in the Foster care program because of changes in their family circumstances or any other circumstances; and
- (f) In case of reports or complaints against the Foster Family or group foster care setting by anyone including the biological family, or recorded in the monthly inspection Form 35.

(2) The Committee shall give a week's notice to the foster family or group foster care giver in writing and shall conduct an inquiry, taking into consideration

the views of the foster family or persons in charge of group foster care and the child before withdrawal of the child from foster care placement:

Provided that, in case of reports or complaints indicating neglect or physical, sexual or emotional abuse of the foster child in the foster home, the child shall be immediately withdrawn from foster care, following which the Committee shall initiate an inquiry and recommend the police to file a First Information Report, where necessary.

(3) Depending on the reason for withdrawal, the Committee may also issue an order to remove the foster family from its panel of Foster Families or cancel the registration of the group foster care;

32. Temporary recall of a child from a foster care placement.- The Committee, after considering the recommendations of the District Child Protection Unit and the views of the child, may temporarily recall a child from foster care placement when there are difficulties in the foster family or the group foster care setting such as a death of a family member, financial problems or changes in the family constellation that the family cannot cope with and could affect the well-being of the child.

33. Review of Foster Care Programme.-The District Magistrate shall conduct a quarterly review of the foster care programme including the decisions taken by Committee, actions taken by the District Child Protect Unit and issues in implementation, if any. The District Magistrate may facilitate the foster care program in the manner required.

34. Sponsorship.-(1) The State Government shall notify a sponsorship programme with guidelines under this Act, which may include:

- (i) individual to individual sponsorship;
- (ii) group sponsorship;
- (iii) community or organisation sponsorship;
- (iv) support to families through sponsorship;
- (v) support to children in need of care and protection in child care institutions who are being resorted to families; and

(vi) sponsorship through institutions, companies or corporations either public or private; Explanation: For the purposes of this clause, sponsorship shall be prioritized for providing support to families for the purpose of restoration of the child to the family or relative or guardian.

(2) The District Magistrate shall draw up a sponsorship plan for the district in consultation with the stakeholders, generate resources by way of public and private contributions and ensure that the vulnerable children in the district are supported either partially or fully, as per their requirement

(3) The District Child Protection Unit shall prepare a panel of persons or families or organisations interested in sponsoring a child as well as a list of sponsors according to the area of interest such as education, medical support, nutrition, vocational training etc., and the nature of sponsorship.

(4) The District Child Protection Unit shall forward the panel to the Board or the Committee or the Children's Court for passing the appropriate order for placement of the child under sponsorship in Form 36.

(5) The Board or the Committee or the Children's Court may suo-motu or on an application received in that behalf, consider the placement of a child under sponsorship and pass an order for the child approved to receive sponsorship, in Form 36.

(6) The District Child Protection Unit, in case of individual sponsorship, shall open an account in the name of the child to be operated preferably by the mother. The money shall be transferred directly through Direct Benefit Transfer from the bank account of the District Child Protection Unit to the bank account of the child.

(7) The duration of the sponsorship should be as per the Individual Care Plan of the child, which may cover a period up to the age of eighteen years and may also be extended to the aftercare program of the child.

(8) The procedure for sponsorship through individuals, institutions, organisations, companies or corporations either public or private shall be as specified by the State Government.

35. Aftercare of Children Leaving Institutional Care.-(1) The State Government through the District Magistrate shall prepare an Aftercare programme with guidelines for children who leave child care institutions on attaining eighteen years of age by providing for their education, giving them employable skills and placement as well as providing them places for stay to facilitate their reintegration into the mainstream of society.

(2) Any child who leaves a child care institution may be provided aftercare till the age of twenty-one years on the order of the Committee or the Board or the Children's Court, as the case may be, as per Form 37 and in exceptional circumstances, for four more years on completing twenty-one years of age.

(3) The District Child Protection Unit shall prepare and maintain a list of organisations, institutions and individuals interested in providing aftercare as per their area of interest such as education, medical support, nutrition, vocational training, etc., and the same shall be forwarded to the Board or the Committee and all child care institutions for their record.

(4) The Probation Officer or the Child Welfare Officer or Case Worker or Social Worker, shall prepare a post release plan in consultation with the child and submit the same to the Board or the Committee, three months before the child is due to leave the child care institution, recommending aftercare for such child, as per the needs of the child.

(5) The Board or the Committee or the Children's Court, while monitoring the post release plan shall also examine the effectiveness of the aftercare programme, particularly whether it is being utilized for the purpose for which it has been granted and the progress made by the child as a result of such aftercare programme.

(6) Children who are placed in an aftercare programme, shall be provided funds by the State Government for their essential expenses; and such funds shall be transferred directly to their bank accounts.

(7) The services provided under the aftercare programme may include:

- (i) community group housing on a temporary basis for groups of six to eight persons;
- (ii) provision of stipend during the course of vocational training or scholarships for higher education and support till the person gets employment;
- (iii) arrangements for skill training, apprenticeship and placement in commercial establishments through co-ordination with National Skill Development Programme, Indian Institute for Skill Training and other such Central or State Government programmes and corporates, etc. subject to the condition that such business/ industry/agency is found suitable for engaging with children and prescribes to Child Protection Policy as mandated under Protection of Children from Sexual Offences Rules, 2020;
- (iv) provision of a counsellor to stay in regular contact with such persons to discuss their rehabilitation plans;
- (v) provision of creative outlets for channelizing their energy and to tide over the crisis periods in their lives;
- (vi) arrangement of loans and subsidies for persons in after-care, aspiring to setup entrepreneurial activities;
- (vii) encouragement to sustain themselves without State or institutional support; and
- (viii) facilitating employment and entrepreneurial opportunities.

(8) The District Magistrate may facilitate scholarships for higher education; loan for education or starting small business for children leaving the Child Care Institutions and convergence with the Government schemes or private entrepreneurs may be explored for the purpose.

(9) The District Magistrate may facilitate campus placements and apprenticeship assignments in collaboration with the local businesses and industry, subject to the condition that such business or industry or agency is found suitable for engaging with the children in the after care program and prescribes to the Child Protection Policy as mandated under the Protection of Children from Sexual Offences Rules, 2020.

(10) The District Magistrate may maintain oversight on arrangements with external agencies and other stakeholders to ensure that the interest of persons in aftercare are not compromised in any manner

(11) The State Government shall establish and maintain adequate number of aftercare residential facilities, either by itself or through non-governmental organizations with an objective to facilitate the social reintegration of children who have been released from the Special homes or Children homes, from an institution based life to mainstream society.

(12) Aftercare residential facilities, or group housing facilities on temporary basis, shall be set up for groups of boys, girls, and third gender between eighteen and twenty one years of age. The aftercare residential facilities shall:-

- (a) provide accommodation, maintenance, educational and vocational guidance facilities for the development of the individual's abilities;
- (b) ensure all round development of their personality and provide opportunities to enable them to reintegrate into the community as law abiding citizens;
- (c) ensure protection from abuse and exploitation and prevent them from exposure to negative influences;
- (d) in case of individuals pursuing professional courses, the State Government shall meet the expenditure on education, boarding and lodging in concerned hostels where available; and
- (e) avail the services of Social Workers or volunteers recognised by the Committee or the Board as Fit Persons, fit for aftercare to supplement the available services of Probation and Case Work.

(13) A child who has been employed shall be encouraged and supported to leave the facility, after three months from the date of such employment, or on attaining the age of 25 years, whichever is earlier.

(14) The Board or Committee may pass an order in Form 37A for placing a child completing 18 years of age under the aftercare programme; a copy of such order shall be sent to the District Child Protection Unit, and State Government, who shall be responsible for arranging aftercare.

(15) The District Magistrate shall monitor the after care programme offered by the State Government or by non-governmental organizations in their jurisdictions.

(16) The State Government shall facilitate access to other State and Central schemes that enable the individuals in the aftercare program to avail the benefits under them. The District Child Protection Units shall ensure such schemes are accessed by the individuals in the aftercare program in their districts.

(17) The District Child Protection Unit shall create a pool of aftercare service providers including volunteers recognized by the Committee or the Board as Fit Persons, fit for aftercare, to supplement the available services of Probation and Case Work.

(18) The State Government shall notify Aftercare Guidelines within six months of the notification of these rules.

36. Management and Monitoring of Child Care Institutions.- (1) The personnel strength of a child care institution shall be determined according to the duty, posts, hours of duty and category of children that the staff is meant to cater to. The staff of the child care institution shall be subject to control and overall supervision of the Person-in-charge who by order, shall determine their specific duties and responsibilities in keeping with the statutory requirements of the Act and these rules.

(2) The number of posts in each category of staff shall be fixed on the basis of capacity of the institution and shall proportionately increase with the increase in the capacity of the institution.

(3) In case of child care institutions housing girls, the Person-in-charge and preferably all of the staff shall be female; and in case of child care institutions housing boys, the Person-in-charge and majority of the staff shall be male.

(4) All staff shall respect the dignity and privacy of children in child care institutions.

(5) Any person associated with a child care institution must not have been convicted of an offence or have been involved in any immoral act or in act of child abuse or employment of child labour or in an offence involving moral turpitude or hold any office in any political party during their tenure.

(6) No person shall be appointed to or work in a child care institution without police verification.

(7) The suggested staffing pattern for an institution with a capacity of 50 children may be as below:

| Sl.No | Personnel/Staff | Number |
|--------------|---|--------------------------------|
| 1. | Person-in-charge(Superintendent) | 1 |
| 2. | Probation Officer/ Child Welfare Officer/Case Workers (NGOs) A Child Welfare Officer may be designated as Rehabilitation-cum-Placement Officer | 2 |
| 3. | Counsellor/Psychologists/mental health expert | 2 |
| 4. | House Mother/House Father | 2 |
| 5. | Educator/Tutor | 2 (part time; based on grades) |
| 6. | Medical Officer(Physician) | 1 (on call) |
| 7. | Para-medical staff/Staff Nurse/Nursing Orderly | 1 |
| 8. | Store Keeper cum Accountant | 1 |
| 9. | Art and Craft & activity teacher | 1 (part time) |
| 10. | PT Instructor-cum-Yoga trainer | 1 (part time) |
| 11. | Cook | 1 |
| 12. | Helper | 1 |
| 13. | Housekeeping | 1 |
| 14. | Driver | 1 |

| | | |
|-----|----------|--------------|
| 15. | Gardener | 1(part time) |
| 16. | Security | 4 |

(8) In case of institutions housing infants, provision for ayahs and paramedical staff shall be made as per need.

(9) The security personnel shall be deployed as per nature and requirement of the Child Care Institution, taking into consideration strength of the children, age groups, physical and mental status, segregation facility based on the nature of offence and structure of the Institution.

(10) The security personnel to be engaged or appointed shall be adequately trained and oriented to deal with the children with sensitivity preferably ex-servicemen or retired paramilitary personnel or through Director General of Resettlement.

(11) The security personnel shall not be with arms or guns but have training and special skills to handle a crisis situation, control violence and escape of children from the institution, conduct search and frisking and security surveillance.

37. Fit Facility.-(1) The Board or the Committee shall, on an application from any institution or organisation run by Government or non- governmental organisation, recognise the facility as a fit facility provided the manager of that facility is willing temporarily to receive a child for a specific purpose or for group foster care.

(2) An application in Form 38 for recognition shall be accompanied with a copy each of rules, bye-laws, memorandum of association, list of governing body, office bearers, list of trustees, balance sheet of the preceding three years, statement of past record of social or public service provided by the institution or organisation.

(3) Any facility for recognition as a fit facility shall:

(i) meet the basic standards of care and protection to the child;

- (ii) provide basic services to any child placed with it;
- (iii) prevent child placed with it from any form of cruelty or exploitation or neglect or abuse of any kind; and
- (iv) abide by the orders passed by the Board or the Committee.

(4) The Board or the Committee, after proper inspection and inquiry to ensure that provisions exist in the institution for the care and protection of children with reference to their health, education, boarding and lodging facilities, vocational facilities, rehabilitation and reintegration as per the rules, and consideration of such other material as may be available, may grant recognition to such institution or organisation as a fit facility in Form 39:

Provided that, any person associated with such institution or organisation must not have been convicted of an offence or have been involved in any immoral act in act of child abuse or employment of child labour or in an offence involving moral turpitude.

(5) A decision on the application for recognition of an institution or organisation shall be taken by the Board or the Committee within a period of fifteen days from the date of receipt of the application.

(6) The recognition accorded to an institution or an organisation as a fit facility shall be initially for a period of three years, which may be renewed for a further period of three years in accordance with sub-rule (4) of these rules.

(7) The Board or the Committee may, if dissatisfied with the standard of care and protection provided, or conditions prevailing in the facility or the management of the institution or the organisation recognised under the Act or on an adverse report made by an inspection committee appointed under section 54 of the Act or for any other reason, at any time, by a reasoned order, withdraw the recognition of the institution or the organisation as a fit facility and from the date specified in the order of the Board or the Committee, the institution or the organisation shall cease to be a fit facility recognized under the Act and these rules.

(8) Where the recognition of a fit facility is withdrawn by the Board or the Committee, intimation of the same shall be sent to the District Magistrate,

Children's Court, Special Juvenile Police Unit and District Child Protection Unit, and the children placed with such an institution or organisation may be placed by the Board or the Committee or the Children's Court to another fit facility or any other child care institution.

(9) An updated list of fit facilities recognised by the Board or the Committee shall be kept in that office and be sent to the District Magistrate, Children's Court, Special Juvenile Police Unit, the District Child Protection Unit and the State Child Protection Society. The list shall be updated by the District Child Protection Unit whenever a new fit facility is recognised or recognition to an existing facility is withdrawn.

(10) An institution or organisation shall be recognised as a fit facility for purposes which may include:-

- (i) short term care;
- (ii) medical care treatment and specialized treatment;
- (iii) psychiatric and mental health care;
- (iv) de-addiction and rehabilitation;
- (v) education;
- (vi) vocational training and skill development and;
- (vii) witness protection;

(11) The services to be provided by the fit facility may include:

- (i) food, clothing, water, sanitation and hygiene;
- (ii) mental health interventions including counseling;
- (iii) medical facilities including first aid and to facilitate specialized treatment;
- (iv) formal age appropriate education including bridge education and continuing education and life skill education as per the norms and standards of the Right of Children to Free and Compulsory Education Act 2009 (central Act 35 of 2009) and the Karnataka Education Act, 1983 (Karnataka Act 01 of 1995) and related rules;

- (v) recreation, sports, fine arts and group work activities; and
- (vi) All available opportunities for regular contact of a child with their biological family, adoptive family, guardians, or relatives, if it is in the child's best interest.

(12) The placement of a child in a fit facility shall be for a period as deemed fit by the Board or the Committee or the Children's Court.

(13) The State Government shall establish a Fit Facility for temporary care of children and their biological or adoptive parents and siblings, as may be required for their care and protection.

38. Fit Person.-(1) Any individual who is found fit to temporarily receive a child for a specific purpose, including for care, protection or treatment for a period as may be necessary by the Board or the Committee, may be recognised as a fit person by the Board or the Committee.

(2) The Board or the Committee shall periodically screen suitable persons to evaluate their capacity and suitability as fit persons, and such screening shall be done based on the following criteria;

- (i) police verification to ensure that such a person has not been accused of an offence under the Act or involved in any immoral act or in act of child abuse or employment of child labour or in an offence involving moral turpitude;
- (ii) appropriate kinds of expertise for various purposes that fit persons may be appointed for;
- (iii) professional qualifications, if required to suitably perform the purpose for which the person is being recognized as a fit person;
- (iv) experience of dealing with children; and
- (v) willingness to take on the responsibility of a fit person for the specific purpose, as determined by the Board or Committee.

(3) The Board or the Committee shall regularly update the panel of fit persons.

(4) The Board or the Committee may, if dissatisfied with the standard of care and protection provided or for any other reason, at any time, by a reasoned order withdraw the recognition of the person as a fit person from the date specified in the order of the Board or the Committee.

(5) Where the recognition of a fit person is withdrawn by the Board or the Committee, intimation of the same shall be sent to the District Magistrate, Children's Court, Special Juvenile Police Unit and District Child Protection Unit and the child placed with such a fit person may be placed by the Board or the Committee or the Children's Court to another fit person or with a fit facility or any child care institution.

(6) A list of fit persons recognised by the Board or the Committee shall be continuously updated and maintained in the office of the Board and the Committee and the Children's Court and be sent to the Special Juvenile Police Unit, the District Magistrate, the District Child Protection Unit and the State Child Protection Society.

(7) The Board or the Committee or the Children's Court may place the child with a fit person in cases wherever required, including where the child cannot be sent to a child care institution due to distance or odd time.

(8) The Board or the Committee or the Children's Court, depending on the needs of the child and in consultation with the fit person shall determine the period for which a child shall remain with the fit person.

(9) The child shall not be placed with a fit person for a period exceeding ninety days, and in such cases where the child requires further care, the Committee may consider the placement of the child in foster care or may consider other rehabilitative alternatives for the child. The Board or the Children's Court in such cases where the period of placement of the child may exceed ninety days, refer the matter to the Committee for further orders in respect of the child.

(10) The State Government shall frame guidelines for identification of Fit Persons within three months of the notification of these rules.

39. Physical infrastructure.-(1) The accommodation in each institution shall be as per the following criteria, namely:-

(i) Observation Home:

- (a) separate observation homes for girls and boys; and
- (b) Classification and segregation of children according to their age group preferably 7-11 years, 12-16 years and 16-18 years, giving due consideration to physical and mental status and the nature of the offence allegedly committed.

(ii) Special Home:

- (a) separate special homes for girls above the age of 10 years and boys in the age groups of 11 to 15 and 16 to 18 years; and
- (b) classification and segregation of children on the basis of age and nature of offences and their mental and physical status.

(iii) Place of Safety:

- (a) for children in the age group of 16 to 18 years alleged to have committed heinous offence pending inquiry;
- (b) for children in the age group of 16 to 18 years found to be involved in heinous offence upon completion of inquiry;
- (c) for persons above 18 years alleged to have committed offence when they were below the age of 18 years pending inquiry;
- (d) for persons above 18 years found to be involved in offence upon completion of inquiry; and
- (e) for children as per the orders of the Board under clause (g) of sub-section(1) of section 18 of the Act.

(iv) Children's Home:

- (a) Children of the same gender between 7-18 years may be kept in the same home:

Provided that, separate bathing and sleeping facilities shall be maintained for those in the age group of 7-11 years and 12-18 years:

Provided further that, all efforts shall be made to keep siblings irrespective of gender and age placed in institutional care together, unless it is in their best interest not to be kept together.

(b) Separate facilities for children up to the age of six years with appropriate facilities for infants.

(2) The child care institutions shall be child-friendly and in no way shall they look like a jail or lock-up.

(3) Every child care institution shall keep a copy of the Act and the rules framed by the State Government, for use by both the staff and children residing there in.

(4) Each child care institution shall have a Management Committee for the management of the institution and monitoring the progress of every child in the home.

(5) The child care institutions for children in conflict with law and children in need of care and protection shall function from separate premises as per the criteria elaborated.

(6) The norms for building or accommodation in each institution with 50 children as prescribed by the State Government.

(7) The Person-in-charge shall stay within the institution and be provided with quarters and in case he is not able to stay in the child care institution for valid reasons, any other senior staff member of the institution shall stay in the institution and be in a position to supervise the overall care of the children and take decisions in the case of any crisis or emergency.

(8) There shall be proper and non-slippery flooring for preventing accidents.

(9) There shall be adequate lighting, heating and cooling arrangements, ventilation, safe drinking water, clean and accessible gender and age appropriate and disability inclusive infrastructure.

(10) All institutions under the Act shall:

- (a) make provision of first-aid kit, fire extinguishers in kitchen, recreation room, vocational training room, dormitories, store rooms and counseling room;
- (b) conduct periodic inspection of electrical installations;
- (c) ensure proper storage and inspection of articles of food; and
- (d) ensure stand-by arrangements for water storage and emergency lighting.

(11) Special infrastructural facilities and necessary equipment shall be provided to differently-abled children. Such facilities and equipment shall be designed under the guidance of specialists or experts.

(12) Other logistical and functional requirements which would be provided may include:

- (i) computer sets;
- (ii) photocopiers;
- (iii) printer, scanner cum fax;
- (iv) telephone with internet facility;
- (v) web cam;
- (vi) furniture for officials, record keeping cabinets, work stations, wheelchair and stretchers for medical room;
- (vii) chairs and tables for study and dining hall; and
- (viii) projector.

40.Clothing, Bedding, Toiletries and other Articles.-(1) The clothing and bedding shall be as per the scale and climatic conditions. The requirements of each child and the minimum standards for clothing and bedding shall be as prescribed by the State Government

(2) 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 shorts or pants or clothing, as per the child's wishes and culture, one pair of white canvas shoes and one blazer for use during ceremonial occasions. In the case

of girls it shall be one white half sari or one salwarkameez or one white skirt and one white blouse, a pair of white canvas shoes and a blazer, or clothing as per the child's wishes and culture, and a weather inclusive formal clothing. Children shall not be coerced or compelled to wear clothes they do not want.

(3) Toiletry: Every resident of the child care institution shall be issued oil, soap and other material as per the following scale, namely:-

| Sl.No. | Items | Quantity to be issued per child |
|---------------|--|--|
| 1. | Hair Oil for grooming the hair | 100 ml per month. |
| 2. | Toilet soap/hand wash | 2 bars of 100gm per month. |
| 3. | Toothbrush | 1 in every 3 months. |
| 4. | Toothpaste | 100gm (a tube) per month. |
| 5. | Comb | 1 in every 3 months. |
| 6. | Shampoo sachets | 8 in a month(10ml/per sachet). |
| 7. | Bathing soap | 2 bars of 125gm per month. |
| 8. | Hairclip/band | 2 bands in 3month. |
| 9. | Moisturiser or cold cream (during winters) | 250 ml in a month. |

(4) For washing of clothes and towels, bed-sheet, etc., the following scale may be followed:

- (i) washing soap: 3 soaps for one month (125gms) or equivalent washing powder; and
- (ii) whitening or bleaching agent to the extent required only for white clothing.

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. The superintendent may make arrangements for washing machines to be installed, as required.

(5) The following items shall be provided for maintaining the child care institutions in a healthy and sanitary condition; namely:-

| Sl. No. | Items | Scale of Supply |
|---------|------------------------------|---|
| 1. | Broomstick | 25 to 40 per month depending on the area of the institution. |
| 2. | Pesticide spray | As per the institution doctor's advice. |
| 3. | Effective bugs killing agent | As required. |
| 4. | Phenyl and cleaning acid | Depending on the area of lavatories to be (daily) cleaned as per institution doctor's advice. |
| 5. | Mosquito repellent machines | 2 per room per month with adequate refills |

41. Sanitation and Hygiene.-(1) Every child care institution shall have the following facilities, namely:-

- (i) sufficient treated drinking water; water filters or RO shall be installed at multiple locations in the premises for easy access such as kitchen, dormitory, recreational rooms, etc;
- (ii) sufficient water including hot water for bathing and washing clothes, maintenance and cleanliness of the premises;
- (iii) proper drainage system with regular maintenance;
- (iv) arrangements for disposal of garbage;
- (v) protection from mosquitoes by providing mosquito nets or repellants;

- (vi) annual pest control;
- (vii) sufficient number of well-lit and airy toilets with proper fittings in the proportion of at least one toilet for seven children;
- (viii) sufficient number of well-lit and airy bathrooms with proper fittings in the proportion of at least one bath room for ten children;
- (ix) sufficient space for washing and drying of clothes;
- (x) washing machine wherever possible;
- (xi) lean and fly-proof kitchen and separate area for washing utensils;
- (xii) sunning of bedding twice every month and clothing on regular basis;
- (xiii) maintenance of cleanliness in the Medical Centre;
- (xiv) daily sweeping and wiping of all floors in the home;
- (xv) cleaning or washing of the toilets and bathrooms twice every day;
- (xvi) proper washing of vegetables and fruits and hygienic manner of preparing food;
- (xvii) cleaning of the kitchen slabs, floor and gas after every meal;
- (xviii) clean and pest proof store for maintaining food articles and other supplies;
- (xix) disinfection of the beddings at least once a year;
- (xx) fumigation of a sick room or isolation room after every discharge in case of contagious or infectious disease; and
- (xxi) cleanliness in the medical centre.

42. Daily Routine.-(1) Every child care institution shall have a daily routine for children developed in consultation with the Children's Committees, which shall be prominently displayed at various places within the child care institution.

(2) The daily routine may provide, in teralia, for a regulated and disciplined life, personal hygiene and cleanliness, physical exercise, yoga, educational classes, vocational training, organised recreation and games, moral education, group

activities, prayer and community singing and special programmes for Sundays and holidays and national holidays, festive days, birthdays.

43.Nutrition and Diet Scale.-As notified by the State Government for regular meals and for special occasions such as national holidays, festivals and birthdays of children residing in the child care institution.

44. Medical Care.-(1) In all child care institutions, a medical officer shall be made available on call whenever necessary for regular medical check up and treatment of children.

(2) A nurse or a paramedical shall be available round the clock in all child care institutions.

(3) Every child care institution may:

- (i) arrange for medical examination of each child admitted in an institution by the Medical Officer within twenty-four hours of admission and in special cases or medical emergencies immediately:

Provided that, every Specialised Adoption Agency shall have a pediatrician on call.

- (ii) arrange for a medical examination of child by the Medical Officer at the time of transfer within twenty four hours before transfer and issue a fitness certificate for the purpose of travel;
- (iii) maintain a medical record of each child on the basis of monthly medical check-up and provide necessary medical facilities preferably weekly for children up to the age of 11 years and at least fortnightly for children between 11 to 18 years:

Provided that, such records shall include records of immunizations and vaccinations, etc;

- (iv) ensure that the medical record includes weight and height record, any sickness and treatment, and other physical or mental problems;
- (v) have facilities for quarterly medical check-ups including dental check-up, eye testing and screening for skin problems and for treatment of children;
- (vi) ensure that a quarterly medical screening is conducted for each child through the nearest government health care facilities or private health care facilities;
- (vii) every institution to have first aid kit and all staff be trained in handling first aid including basic resuscitation;
- (viii) make necessary arrangements for the immunization of children;
- (ix) take preventive measures in the event of out-break of contagious or infectious diseases;
- (x) keep sick children under constant medical supervision;
- (xi) not carry out any surgical intervention in a hospital on any child without the previous consent of the parent or guardian, unless the parent or guardian cannot be contacted and the condition of the child is such that any delay would, in the opinion of the medical officer, involve unnecessary suffering or injury to the health of the child or danger to life, or without obtaining a written consent to this effect from the Person-in-charge of the institution;
- (xii) provide or arrange for regular counselling of every child and ensure specific mental health interventions for those in need of such services, including separate rooms for counseling sessions within the premises of the institution and referral to specialized mental health centres, where necessary;
- (xiii) refer such children who require specialized drug de-addiction and rehabilitation programme, to an appropriate centre administered by qualified persons or running under any Government Scheme of the Ministry or Department where these programmes shall be adopted to the age, gender and other specifications of the child concerned; and

- (xiv) not carry out any surgical intervention in a hospital on any child without the previous consent of the child's parent or guardian, unless the parent or guardian cannot be contacted and the condition of the child is such that any delay would, in the opinion of the medical officer, involve unnecessary suffering or injury to the health of the child or danger to life, or without obtaining a written consent to this effect from the Person-in-charge of the institution; and the concerned Committee.

(4) Baseline investigation of blood grouping and RH typing and screening for any congenital disorders, Complete Blood Count (CBC), Urine Routine, Human Immunodeficiency Virus or Acquired Immune Deficiency Syndrome, Hepatitis B and Hepatitis C tests and allergy or addiction to drugs shall be conducted for all children at the time of entry, with the consent of the child or family wherever applicable, into the institution as suggested by the doctor after examining the child.

(5) Test for pregnancy or diseases for victims of sexual offences shall be conducted, if required by the order of the Board or the Committee or the Children's Court. In such cases the District Child Protection Unit shall facilitate following of the procedures laid down in the Medical Termination of Pregnancy Act, 1971 (Central Act 34 of 1971), if so needed.

(6) The District Magistrate through the Chief or District Medical Officer shall make provisions for those children diagnosed with special problem ssuch as hormonal problems, immuno-compromised diseases, physical and mental disabilities on the recommendation of the medical officer. The children shall be kept in special care homes or hospitals and avail necessary medical or psychiatric and psychological support or treatment.

(7) All girls who have attained puberty shall undergo health assessment to detect iron deficiency. Necessary dietary plan and medicines shall be prescribed by the nutritionist and appointed doctor, if need be.

(8) A psycho-social profile of every child shall be maintained by the child care institution and updated every month. Special observations may be recorded, when required. Person-in-charge of the institution shall ensure that any recommendations made shall be duly complied with.

(9) The State Government may be approached by the District Magistrate in the event of inadequate facilities in the District and the concerned State Government shall make necessary arrangements in all such cases.

45. Mental Health.-(1) The environment in an institution shall be free from abuse, allowing children to cope with their situation and regain confidence.

(2) All persons involved in taking care of the children in an institution shall be provided necessary training or capacity building to facilitate an enabling environment and work in collaboration with the therapists as needed.

(3) Milieu based interventions 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 child’s abilities are discovered and they have choices and right to take decisions regarding their life and thus, develop and identify beyond their negative experiences, such intervention which has a critical emotional impact on the child.

(4) Individual therapy is a specialised process and each institution shall make provisions for it as a critical mental health intervention. The facilities available under the mental health programme at State or district level under the Ministry of Health and Family Welfare shall be utilized for providing facilities for mental health to the children. In addition to these private facilities for mental health may also be utilized.

(5) Every institution shall have the services of trained counsellors or collaboration with external agencies such as child guidance centres psychology and psychiatric departments or similar Government and non- Governmental agencies, for specialised and regular individual therapy for the child. Counsellors appointed

by the child care institutions shall undergo an orientation conducted by the State Government through a recognized Mental Health Institution.

(6) The recommendations of mental health experts shall be maintained in every case file, as required.

(7) No child shall be administered medication for mental health problems without a psychological evaluation and diagnosis by trained mental health professionals.

(8) Medicines should be administered to the children only by trained medical staff and not by any other staff of the Home.

46. Education.- (1) Every institution shall provide education to all children according to their age and ability in accordance with the existing educational norms and standards, both inside the institution or outside, with due consideration to the cultural and education rights of children.

(2) There shall be a range of educational opportunities including, mainstream inclusive schools, bridge school, open schooling, non formal education and learning 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 centres or tutors, in addition to teachers under the Right of Children to Free and Compulsory Education Act, 2009 (Central Act 35 of 2009).

(4) Specialised trainers and experts shall be appointed to cater to the educational needs of children with special needs either physical or mental. Learning disorders shall be identified, assessed and reported in the Individual Care Plan. Further assistance shall be given to the child by trained professionals.

(5) Regularity of the education programme and attendance of the children shall be ensured by the competent authority of the Education Department on a periodic basis.

(6) Children shall be supported to avail scholarships, grants and schemes and sponsorships they are entitled to.

47. Vocational Training.- (1) Every child care institution shall provide gainful vocational training to children according to their age, aptitude, interest and ability, either inside or outside the child care institution.

(2) Vocational training shall include occupational therapy, skill and interest based training, aimed at suitable placement at the end of the course. The institute, preferably government recognised, providing vocational training shall give a certificate, on the completion of the course:

Provided that, such a certificate does not stigmatize the child and is prepared with due regard to the principle of privacy and confidentiality of the child.

(3) Where vocational training is offered outside the premises of the child care institution, children shall be escorted for such programmes with proper security planning and services, particularly for children who are at risk.

(4) A record shall be maintained for all children attending the programmes and the progress made by each child shall be reviewed. The report in that regard shall be submitted to the District Magistrate, Board or the Committee or the Children's Court, as the case may be, on a quarterly basis.

(5) Every child aged fourteen and above living in a Child Care Institution or under non-institutional care may be given the option of skill development and vocational training.

(6) The District Magistrate may ensure convergence with existing Central or State Government programmes for skilling and vocational training of the children.

48. Recreational Facilities.-(1) Recreational facilities may include indoor and outdoor games, yoga and meditation, music, television, picnic and outings, cultural programmes, gardening and library, etc.

(2) Sufficient space shall be made available for outdoor sports and games.

(3) Picnic and outings may include education fair or science fair, museum, planetarium, botanical garden, zoological garden, etc.

(4) Cultural events or sports competitions shall be held once in a quarter to showcase talent on festivals or on days of national festivals.

(5) Library shall have a child friendly environment. There shall be books in regional languages, newspapers, children's magazines, puzzle books, picture books, books in braille, audio and video devices, etc.

(6) Space in the home shall be made available for gardening with technical input being given by a gardener to the children.

(7) Music, dance and art therapy may be included in the list of recreational activities to enhance the healing process of each child.

(8) Regularity of the activities shall be maintained with support of institutions and non-governmental organisations, if needed and a report shall be submitted on quarterly basis to the Board or the Committee or the Children's Court, as the case may be.

49. Management Committee.-(1) Every Child Care Institution shall have a Management Committee for the management of the institution and monitoring the progress of every child.

(2) In order to ensure proper care and treatment as per the individual care plans, children shall be grouped on the basis of age, nature of offence in respect of children in conflict with law, and kind of care required, physical and mental health and length of stay.

(3) The Management Committee shall comprise,-

- (i) for government run child care institutions, District Child Protection Officer (District Child Protection Unit) - Chairperson;

- (ii) for institutions run by voluntary or non-governmental organization Head of the Board or the Executive Committee or the Governing Body - Chairperson;
- (iii) person-in-charge -Member-Secretary;
- (iv) probation Officer or Child Welfare Officer or Case Worker - Member;
- (v) medical Officer -Member;
- (vi) Psychologist or Counselor -Member;
- (vii) workshop Supervisor or Vocational Instructor -Member;
- (viii) teacher -Member;
- (ix) Social Worker member of the Board or the Committee - Member;
- (x) two child representatives from each of the Children's Committees -Members;
- (xi) for institution run by Non-Governmental Organizations or voluntary organizations, a representative of the District Child Protection Unit shall be the member of the committee;
- (xii) any other special invitee with the consent of the Chairperson, such as the Cluster Resource Coordinators of the jurisdiction where the institution is located, a member from the Directorate of Vocational Education; and
- (xiii) Medical Officer-Member, shall preferably be a Pediatrician in a Specialised Adoption Agency (SAA).

(4) The Management Committee shall meet at least once every month to consider and review:

- (i) 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;
- (v) individual problems of children and institutional adjustment;
- (vi) quarterly review of individual care plans;

- (vii) provision of legal aid services;
- (viii) vocational training and opportunities for employment;
- (ix) education and life skills development programmes;
- (x) social adjustment, recreation, group work activities, guidance and counseling;
- (xi) progress, adjustment and modification of residential programmes to the needs of the children;
- (xii) planning post-release or post-restoration rehabilitation programme and follow up for a period of two years in collaboration with PO-NIC or aftercare services, as the case may be; For children older than six years and who are adoptable planning adoption placements through linked Specialised Adoption Agencies. Planning non-institutional care arrangements with the protection officer- non institutional care for children who can be deinstitutionalized as per individual care plans
- (xiii) pre-release or pre-restoration preparation; including for children being considered for adoption or foster care;
- (xiv) release or restoration;
- (xv) post release or post-restoration follow-up;
- (xvi) minimum standards of care, including infrastructure and services available;
- (xvii) daily routine;
- (xviii) community participation and voluntary participation in the residential life of children such as education, vocational activities, recreation and hobby;
- (xix) all registers as required under the Act and the rules maintained by the institution, duly stamped and signed and to check and verify the registers in the monthly review meetings;
- (xx) matters concerning Children's Committees; and
- (xxi) any other matter which the Person-in-charge may like to bring up.

(5) The Management Committee shall set up a complaint and Redressal mechanism in every institution and a Children's Suggestion Box shall be installed

in every institution at a place easily accessible to children away from the office setup and closer to the residence or rooms or dormitories of the children. The Box shall be located in a place that affords privacy and is not under surveillance.

(6) The key of the Children's Suggestion Box shall remain in the custody of the Chairperson of the Management Committee and shall be checked every week by the Chairperson of the Management Committee or their representative from District Child Protection Unit, in the presence of the members of the Children's Committees:

Provided that in case of Observation Homes, Special Homes and Place of Safety, sub-clause (vi) of rule 6 shall be followed.

(7) 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:

Provided that in case of Observation Homes, Special Homes and Place of Safety, sub-clause (vi) of rule 6 shall be followed.

(8) The quorum for conducting emergency meetings shall be five members, including two members of Children's Committees, Chairperson of the Management Committee, Member of the Board or the Committee, as the case may be, and the Person-in-charge of the child care institution.

(9) In the event of a serious allegation or complaint against the Person-in-charge of the institution, the Person-in-charge shall not be part of the emergency meeting and another available member of the Management Committee shall be included in their place.

(10) 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.

(11) 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.

(12) The District Child Protection Unit shall compile the recommendations of the Management Committees and suggestions of the children received from the Suggestion Box or Complaint Book from all Child Care Institutions in the Districts on a monthly basis, action taken on the same and submit a detailed report to the District Magistrate.

(13) The Board or Committee shall review the Children's Suggestion Book at least once a month.

(14) The Suggestion Box shall be accessible by the Chairperson of the Committee or any other person authorised by the Chairperson.

(15) Every child care institution shall have a child protection policy in the format prescribed by the State Child Protection Society.

50.Children's Committees.- (1) Person-in-charge of every institution for children shall facilitate the setting up of children's committees for different age groups of children, that is in the age group of 6 to 10 years, 11 to 15 years and 16 to 18 years and these children's committees shall be constituted solely by children.

(2) Such children's committee shall be encouraged to participate in following activities:

- (i) improvement of the condition of the institution;
- (ii) reviewing the standards of care being followed;
- (iii) repairing daily routine and diet scale;
- (iv) developing educational, vocational and recreation plans;
- (v) respecting each other and supporting each other in managing crisis;
- (vi) reporting abuse and exploitation by peers and caregivers;
- (vii) creative expression of their views through wallpapers or newsletters or paintings or music or theatre; and

(viii) management of the institution through the Management Committee.

(3) The Person-in-charge shall ensure that the children's committees meet every month and maintain a register for recording their activities and proceedings, and place it before the Management Committee in their monthly meetings.

(4) The Person-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 Person-in-charge may, as far as feasible, seek assistance from local voluntary organisations or child participation experts for the setting up and functioning of the children's committees.

(6) The local voluntary organisation or child participation expert shall support the children's committees in the following:

- (i) electing their leaders and in devising the procedure to be followed for conducting the elections;
- (ii) conducting the elections and monthly meetings;
- (iii) framing rules for the functioning of children's committees and following it;
- (iv) maintaining records and Children's Suggestion Book and other relevant documents; and
- (v) any other innovative activity.

(7) The Management Committee shall seek a report from the Person-in-charge on the setting up and functioning of the children's committees, review these reports in their monthly meetings and take necessary action and place the same before the Board or the Committee, wherever required.

51. Inspection.-(1) The State Government shall constitute State and district level inspection committees. The District Magistrate shall constitute the district level inspection committee. The District Magistrate may constitute additional district level inspection committees wherever required.

(2) The State Inspection Committee shall comprise of a maximum of seven members from among the State Government, namely the Board or Committee, the State Commission for the Protection of Child Rights, the State Human Rights Commission, State Adoption Resource Agency, medical and other experts, voluntary organisations and reputed Social Workers. The Director, Directorate of Child Protection shall be the Chairperson of the State Inspection Committee.

(3) The State Inspection Committee shall carry out inspections of the child care institutions as defined under sub-section (21) of section (2) of the Act housing children in the State in Form 46.

(4) The State Inspection Committee shall carry out random inspections of the institutions housing children to determine whether such institutions are housing children in need of care and protection.

(5) The State Inspection Committee shall submit a report to the Secretary of the Department implementing the Act.

(6) The State Inspection Committee shall make recommendations for improvement and development of the Institutions in accordance with the provisions of the Act and these rules made there under and shall forward the same to the District Magistrate and the State Child Protection Society for appropriate action.

(7) The Inspection report of the State Inspection Committee shall be forwarded to the District Magistrate within a period of two weeks of the visit.

(8) The State Inspection Committee shall interact with the children during visits to the institution to determine their well-being and to get their feedback.

(9) Appropriate action shall be taken within a month by the District Magistrate and a compliance report for the same shall be submitted to the State Child Protection Society, in two months period.

(10) The District Inspection Committee shall comprise of following members:

- (i) Additional District Magistrate as the Chair person; Member of the Board or the Committee;
- (ii) District Child Protection Officer as the Member Secretary;
- (iii) one Medical Officer nominated by the Chief or District Medical Officer of the district;
- (iv) one member of the civil society working in the area of child rights, care, protection and welfare; who is not a part of the management or staff of the organisation running a child care institution in the district;
- (v) one mental health expert who has experience of working with children; and
- (vi) any other person of repute from society who has experience working with children and not having conflict of interest, who is deemed appropriate by the District Magistrate.

In districts where an additional district level inspection committee has been constituted, a representative of the District Child Protection Unit shall be a member and the District Magistrate shall nominate a Member Secretary from among the other members.

(11) The District Inspection Committee shall inspect all child care institutions in the district in Form 46.

(12) The inspection of the facilities housing children in the district shall be carried out at least once every three months.

(13) The District Inspection Committee shall submit the report of the findings to the District Magistrate and the State Government and shall also make suggestions for improvement and development of the child care institutions in accordance with the provisions of the Act and these rules made there under.

(14) The District Inspection Committee shall interact with the children during the visits to the institution to determine their well-being and to elicit their feedback.

(15) The District Magistrate shall take necessary follow-up action on the report of the District Inspection Committee.

(16) The District Magistrate shall submit a report on the functioning of the child care institutions in the District and measures taken for their improvement once every year to the State Government.

52. Evaluation.-(1) The evaluation of functioning of the Board, Committee, Special Juvenile Police Units, registered institutions, or recognised fit facilities and persons under the Act may be done by the Central Government or the State Government once in three years through institutions and agencies such as reputed academic institutions, schools of social work of Universities, Management Institutions, multi- disciplinary Committee especially constituted for the purpose, etc.

(2) The findings of the evaluation as per sub-rule(1) above shall be shared between the Central and State Governments in order to strengthen and improve the functioning of different structures.

CHAPTER - VII

ADOPTION

53. Adoption Related Reporting.-(1) The Child Welfare Committees shall, furnish the data relating to children declared legally free for adoption and cases pending for decision to the Authority online on a monthly basis in the formats provided in the Adoption Regulations and also to the respective District Magistrate, the State Adoption Resource Agency in Form 16A with the assistance of the District Child Protection Units.

(2) The District Magistrate after review of the report submitted by the Child Welfare Committee in Form 16A shall take necessary measures to expedite the process of adoption of children declared legally free for adoption.

54.Children who are not being adopted after being declared legally free for adoption may be eligible for Foster Care.- The following categories of children may be considered for Foster Care in the following circumstances:

- (i) Children in the age group of 0 to 6 years who are being considered by the Committee as legally free for adoption and those who have been declared legally free for adoption shall not, as far as possible, be considered for placement in foster care. Such children shall be provided a permanent family through adoption as per Adoption Regulations;
- (ii) Every child who does not get a family either in in-country adoption or in inter-country adoption and is placed under the hard to place category as defined in the Adoption Regulations, shall be eligible to be placed in foster care, by the Committee on the recommendation of the District Child Protection Unit or the Specialised Adoption Agency;
- (iii) A child who has a temporary special need, which may be correctable, may not be considered for foster care while undergoing treatment, if the child is likely to become a typically developing child as assessed by the pediatrician or visiting doctor of the Specialised Adoption Agency. Such a child may be classified as normal post the treatment and be placed in adoption;
- (iv) A child with special needs which are not temporary special needs and who is not adopted within a period of one year after being declared legally free by the Committee may be considered for foster care placement with a foster family or group foster care by the Committee on the recommendation of the District Child Protection Unit or Specialised Adoption Agency, provided the Home Study Report of the foster family and group foster care recommends that they are their fit and have the necessary facilities for care of such children;
- (v) Where the child has remained with a foster family for a minimum of two years in foster care, the foster family may apply for adoption and shall be given preference to adopt the child and after registering in the designated portal of the Authority and according to procedures laid down in Adoption Regulations:

Provided that, in cases of those children who have integrated well with the foster family, the foster family may apply for adoption after a period of two years based on the reports of the foster care placement monitoring committee and the recommendations of the District Child Protection Unit.

- (vi) Where a child who has not been declared legally free for adoption has remained with a foster family for a minimum of three years,

and no biological family has come to claim or meet the child, the foster family may apply for adoption and shall be given preference to adopt the child after the child has been declared legally free for adoption by the Committee. Foster parents shall register on the designated portal of the Authority.. Adoption shall be carried out according to procedures laid down in Adoption Regulations;

- (vii) Children who are eligible as per clauses (i) to (v) shall be placed in short term foster care as per sub-section (9) of section 44 of the Act, for a minimum period of six months, unless it is not in the child's best interest. The District Child Protection Unit shall send the order for foster care placement to State Adoption Resource Agency, Central Adoption Resource Authority and the child's status shall be updated in the designated portal of the Central Adoption and Resource Authority indicating that the child is in foster care and is not available for referral to prospective adoptive families. If there are difficulties in adjustment (either for the child or for the foster parents), the Committee shall withdraw the child from the foster care setting and shall inform the State Adoption Resource Agency and Central Adoption Resource Authority. The Committee may also direct that the status of the child be updated in the designated portal of the Central Adoption and Resource Authority to enable referrals to prospective adoptive families; and
- (viii) The District Child Protection Unit shall submit a report in Form 51 regarding all such children listed in clauses (ii) to (iv) to the District Magistrate.

55. Procedure before the District Magistrate.- (1) The procedure for obtaining an Adoption Order from the District Magistrate or the Additional District Magistrate (authorised by the District Magistrate), as the case may be would be as provided in Adoption Regulations.

(2) The District Magistrate, for the purpose of an application for adoption order, shall follow the procedure as laid down in the Act and the Adoption Regulations.

(3) All the cases pertaining to adoption matters pending before the Court shall stand transferred to the District Magistrate from the date of commencement

of the Juvenile Justice (Care and Protection of Children) Model Amendment Rules, 2022.

56. Period for disposal of applications.- (1) The District Magistrate or the Additional District Magistrate (authorised by the District Magistrate), as the case may be, shall dispose of an application for making an adoption order within a period of two months from the date of filing of the application, as provided under sub-section (2) of section 61 of the Act

(2) No information or Adoption order issued by the District Magistrate regarding adoption disclosing the identity of the child shall be uploaded on any portal except as may be stipulated in Adoption Regulations.

(3) The notice of application for adoption of a child shall not be published in any newspaper or any form of media while the case is in process.

(4) Where the publication is made after the adoption order is finalized, the identity of the adoptive family and the child shall not be disclosed.

57. Step Child and Relative adoption Procedure before the Committee.- The Committee shall adhere to the procedure prescribed under the Act, these Rules, and the Adoption Regulations, for adoption of step-child and relative adoption.

58. Dissolution of Adoption.-(1) In case of dissolution of an adoption, the adoptive parents shall inform the Specialised Adoption Agency from where the child was placed and produce the child before the Committee where the adoptive family is habitually resident. The Committee shall ensure that the adoptive parents and the child undergo a minimum of four sessions of mandatory counselling by a counsellor who has adoption competency, to explore the possibility of avoiding an annulment of the adoption. Where dissolution is the only option, the application for annulment of adoption order shall be filed before the District Magistrate who issued the adoption order in the manner as prescribed in the Adoption Regulations.

(2) If the adoptive family of the child is not in a position to provide care and custody to the child while the petition for dissolution is being heard by the District Magistrate, the child shall be produced before the Committee where the adoptive family is habitually resident, for an order for temporary placement of the child, pending dissolution of the adoption. A copy of the order shall be forwarded to the Specialised Adoption Agency and the District Child Protection Unit from where the child was placed.

(3) After an adoption has been dissolved by the District Magistrate, the child shall be produced before the Committee for further rehabilitation which shall include counselling for the child.

(4) A quarterly report on adoptions including dissolutions and disruptions in Form 52 shall be submitted by the District Child Protection Unit to the District Magistrate.

59. Linkage of Child Care Institutions to Specialised Adoption Agencies.-(1) Linkage of child care institutions with Specialized Adoption Agencies for the purpose of adoption shall be governed by the provisions of section 66 of the Act and Adoption Regulations.

(2) The District Child Protection Unit shall submit a report on the legally free for adoption status of orphan, abandoned and surrendered children from the linked child care institutions and the status of linkage of the child care institutions to the Specialised Adoption Agencies, to the District Magistrate once a month in Form 53.

CHAPTER VIII

OFFENCES AGAINST CHILDREN

60. Procedure in cases of offences against children.-(1) A complaint of an offence against a child may be made by child, family, guardian, friend or teacher of the child, Child Line services, person-in-charge or staff of any nursing home, hospital, or maternity home, Child Welfare Police Officer or any police official, labour inspectors, State Commission for Protection of

Child Rights, State or District Legal Services Authority, Railway Protection Force, Child Marriage Prohibition Officer, representative of anti-human trafficking unit, any officer or staff in the District Child Protection Unit or any other individual or child care institution or organisation concerned.

2. On receipt of information or complaint in respect of a cognizable offence against a child, the police shall register a First Information Report forthwith or not beyond 24 hours of receipt of information. The police shall also take suo-motu cognizance of an offence against a child committed in their jurisdiction. On receipt of information of a non- cognizable offence against a child, the police shall make an entry in the Daily Diary which shall be transmitted to the Magistrate concerned forthwith who shall direct appropriate action under sub-section (2) of section 174 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Central Act 46 of 2023).
3. Upon registration of First Information Report for an offence against a child, the designated Child Welfare Police Officer shall send intimation about the registration of such First Information Report to the Special Juvenile Police Unit in Form 15A for their information and for required action.
4. When a child is rescued by the police, the police officer concerned shall immediately inform the parents or guardian of the child that the child has been rescued, along with the address of the Committee where the child will be produced, the date and time when the parents or guardian need to be present before the Committee and the place where the child is kept, in Form 15B.
5. In all cases of offences against children, the investigation as far as practicable shall be conducted by the Child Welfare Police Officer or the investigating officer shall be assisted by the Child Welfare Police Officer.
6. (a) Where any offence under the Act is committed by any person employed by or managing a child care institution, the Committee or the Board as the case may be, may pass appropriate orders for transferring the children already placed with the child care institution in any other child care institution or with a fit person or in kinship care or in foster care.
 - b. The Committee or the Board, as the case may be, may recommend the cancellation of the registration and withdrawal of recognition of such

institution or agency, if the management of such child care institution does not cooperate with any inquiry or comply with the orders of the Committee or the Board or Court or State Government, as the case may be. In the case of educational institutions, sports and recreational facilities, tuition centers, etc., the Committee or the Board may recommend to the concerned authorities or departments to initiate an inquiry into the matter.

- c. The State Government shall take appropriate action on the recommendations of the Committee or the Board, as the case may be.
 - d. Based on the order of the Committee or the Board, as the case may be, the District Child Protection Unit shall ensure transfer of children at the earliest, under intimation to the State Government.
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- 7. Where a First Information Report is registered against a person working with a child care institution or any other institutions or organisations that provide services to children for any offence under the Act and the rules, such a person shall be debarred from working directly with the children during the pendency of the criminal case, and if convicted shall be dismissed from the service and not be eligible to work in a service, institution or association providing services to children.
 - 8. Where a person has been dismissed from service or is convicted of an offence under the Act and the rules, such person shall stand disqualified from any further appointment.
 - 9. No child shall be placed in a police lock-up or lodged in a jail under any circumstance.
 - 10. The child and the child's family shall be provided access to paralegal volunteers under the District Legal Services Authority. The child and their family shall also be provided the assistance of translators, interpreters, special educators and support persons by the District Child Protection Unit, wherever necessary.
 - 11. An immediate needs assessment of the child will be conducted in terms of the need for food, clothing, emergency medical care, counselling, psychological support, etc., and the same shall be immediately extended to the child at the police station. For the purpose of such assessment, the police shall use Form 15C and submit it to the Committee and the District Child Protection Unit

within twenty-four hours. Based on the assessment, the Committee may recommend the District Child Protection Unit to provide financial relief or the District Child Protection Unit can directly provide an amount for immediate assistance out of such funds placed at their disposal by the State.

12. The police shall assess safety and threat to the life, safety, reputation or property of the child and the child's family and submit an application for protection under the applicable laws, rules and schemes for Witness Protection.
13. A child covered under the Act requiring immediate or emergency medical attention shall be provided with required medical care and treatment by a hospital or clinic or facility upon a direction of the Board or the Committee made in this regard, free of cost.
14. Special children's rooms that are also accessible to children with disabilities may be designated in every Court Complex and Boards. This facility shall include the following:
15. Separate entrance for children and their family;
 - a. Separate waiting area for children;
 - b. Space for recording statement and evidence of the child;
 - c. Provisions for video conferencing;
 - d. Partitions/screen to prevent exposure of child to the accused during trial; and
 - e. Provisions for entertainment to keep the children engaged like books, toys, and games.
16. The statement of the victim/witness child shall be recorded while ensuring the following conditions:
 7. The Magistrate shall record the statement of the child under section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Central Act 46 of 2023).
 - i. in the Children's room or, if possible in the child's place of residence including, home or institution where the child is residing or through video conferencing.
 - ii. The Statement shall be recorded verbatim as spoken by the child; A child who is unable to speak may give the statement by writing or by signs or in any other intelligible manner.

- iii. The Statement may also be recorded by audio-visual means as per the provisions of sub-section (1) of section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Central Act 46 of 2023);
- iv. The child shall be accompanied by a parent or guardian or Social Worker, or Support Person, or a friend or a relative, in whom the child has trust or confidence.
- v. The court or Board shall ensure that proceedings relevant to the testimony of a child victim or witness are conducted in language that is simple and comprehensible to a child.
- vi. Wherever necessary, the assistance of a translator or interpreter having such qualifications, experience and on payment of such fees as may be prescribed, may be taken.
- vii. For a child with disability defined under clause (s) of section 2 of the Rights of Persons with Disabilities Act, 2016 (Central Act 49 of 2016), assistance of a special educator or any person familiar with the manner of communication of the child or an expert in that field, having such qualifications, experience and on payment of such fees as may be prescribed to record the evidence of the child, may be taken.

17. The Committee may appoint a support person in Form 15D or the District Legal Services Authority may appoint a para legal volunteer for pre- trial counselling and to accompany the child for recording of the statement who shall also familiarize the child with the Court and Court environment in advance, and where the child is found to have been disturbed by the experience of coming to the Court, orders for video-conferencing may be passed by the Court, on an application moved by the support person or para-legal volunteer or by the District Legal Services Authority, on behalf of the child.

The State

Government may issue a circular on the responsibilities of the support person and para-legal volunteers and the procedure for their appointment, monitoring and reporting.

18. A child in conflict with law, child in need of care and protection, child who is a victim or witness of crime shall be treated in a caring and sensitive manner that is respectful of the child's dignity and safety throughout the legal proceedings, taking into account the child's personal situation and

immediate and special needs, age, sex, gender identity or expression, sexual orientation, disabilities if any, and level of maturity and developmental skills and abilities of the child.

19. A child victim or witness shall have the right to express their views, opinions and beliefs freely, in their own words, and shall have the right to contribute to decisions affecting their life, including those taken in the course of the justice process. The support person may assist the child in making informed decisions about participation in pre-trial, trial and other processes.
20. If the child victim or witness does not belong to the District or State or Country, the statement or in circumstances where the child victim ordeposition of the child may also be recorded through video conferencing.
21. Where video-conferencing is not possible, all necessary accommodation, travel expenses for the child victim or witnesses and a guardian or the friend, relative and support person accompanying the child will be provided as per actuals by the State Government.
22. At any stage in the justice process where the safety of a child victim or witness is deemed to be at risk, the District Standing Committee under the Witness Protection Scheme, 2018 or competent authority, as the case may be, shall arrange to have protective measures put in place for the child. Those measures may include the following:-
 - a. Avoiding direct contact between a child victim or witness and the accused at any point in the justice process;
 - b. “no contact” bail conditions if bail is granted;
 - c. Monitoring of mail and telephone calls;
 - d. Arrangement with the telephone company to change the witness’s telephone number or assign them an unlisted telephone number;
 - e. Installation of security devices in the witness’s home such as security doors, CCTV, alarms, fencing etc;
 - f. Concealment of identity of the witness by referring to the witness with the changed name or alphabet;
 - g. Emergency contact persons for the witness;
 - h. Close protection, regular patrolling around the witness’s house;
 - i. Temporary change of residence to a relative’s house or a nearby town;
 - j. Escort to and from the court and provision of Government vehicle or a State funded conveyance for the date of hearing;

- k. Holding of in-camera trials;
- l. Allowing a support person to remain present during recording of statement and deposition;
- m. Usage of specially designed vulnerable witness court rooms which have special arrangements like live video links, one way mirrors and screens apart from separate passages for witnesses and accused, with option to modify the image of face of the witness and to modify the audio feed of the witness' voice, so that the witness is not identifiable;
- n. Ensuring expeditious recording of deposition during trial on day to day basis without adjournments;
- o. Awarding time to time periodical financial aids or grants to the witness from Witness Protection Fund for the purpose of re- location, sustenance or starting a new vocation or profession, if desired; and
- p. Any other form of protection measures considered necessary.

Explanation: "Justice process" encompasses detection of the crime, the making of the com-plaint, investigation, prosecution, trial and post-trial procedures, in the criminal justice system for adults or during the procedures under the juvenile justice system.

- 23. Information related to entitlements of children shall be provided by the Special Juvenile Police Unit, Child Welfare Police Officer, or local police parent, guardian or other person in whom they have trust and confidence as per Form 15E.
- 24. During a trial involving children, as far as possible, the following norms may be followed to ensure a child-friendly atmosphere:
 - i. Parents or guardian or support person shall accompany the child at all times (only if it is in the best interest of the child). If the said person has a conflict of interest, another person of the child's choice, or fit person, or representative of the fit institution identified, or psychologist appointed by the Committee or Court, shall accompany the child at all times, on approval of the Court.
 - ii. In a situation where parents or guardians may have been involved in the commission of the crime, or where the child is living in a place where the child is at risk of further trauma, and the same is brought to the notice of

the Court, or the Court on its own motion shall direct the child to be taken out of the custody or care, or out of such situation and the child should be immediately produced before the Committee.

- iii. For the age determination of the victim, in relation to offences against children under the Act, the same procedures mandated for the Board and the Committee under section 94 of the Act shall be followed.
- iv. The language used shall be familiar to the child and if needed translators and special educators shall be made available.
- v. Before the statement of the child is recorded, the Court shall ensure that the child is capable of making a voluntary statement.
- vi. No statement of the child shall be disregarded as evidence in the trial solely on the basis of the age of the child.
- vii. Images or statements admissible in the interview of the child shall not be detrimental to the mental or physical well-being of the child.
- viii. Length of the interview and questions admissible at the interview shall not be taxing but be suitable to the attention span of the child and level of language comprehension.
- ix. In case of a young child, or otherwise incapacitated child, alternative methods of interaction and evidence collection that is less intimidating shall be adopted.
- x. The Court shall ensure that at no stage during trial, the child comes face to face with the accused.
- xi. Special permission from school and arrangement for remedial classes for days lost shall be made by the school authorities.

25. The child may be represented, as the case may be, by:

- i. a lawyer of his choice; or
- ii. public prosecutor; or
- iii. a lawyer designated or empanelled by the Legal Services Authority.

26. All functionaries of the Court and others concerned shall be sensitised on the special needs of children and child rights

27. After the process of trial:

- i. The child or guardian should be informed of the decision of the judicial proceeding and its implication.
- ii. The child or guardian should be made aware of the legal options including but not limited to review, appeal and compensation.

61. **Procedure in case of offence under section 74 of the Act.-** (1) For the purposes of the Act and the rules, the identity of the child shall include the identity of the child's family, school, relatives, neighbourhood or any other information by which the identity of the child may be revealed.

- 2. The District Child Protection Unit shall be vigilant to violations of section 74 and report to the jurisdictional Committee or Board or court as the case may be.
- 3. Where identity of the child has been disclosed without following the procedure in section 74 of the Act, the Board or the Committee, or the Court, as the case may be, shall direct the police to register a First Information Report immediately against the person, agency, authority, or institution responsible for the violation and shall pass an order restraining any person from publishing in any manner any matter leading to the disclosure of the name or identity of the child.
- 4. In any legal proceeding in which a child victim or witness is involved, the court, Board, or the Committee as the case may be, shall suppress the identity of the child by substituting the name with a pseudonym in the records of the proceedings.
- 5. The name of the accused shall also be suppressed if the accused is related to the child or connected to the child such that the disclosure of the name of the accused will result in the disclosure of the identity of the child.
- 6. Where any police officer has acted in contravention of sub-clause (1) and (2) of section 74 of the Act, the affected child or anyone on the child's behalf may file a complaint with the police or approach the Board, Committee, or court as the case may be.
- 7. The District Child Protection Unit, Department of Information, State and District Legal Services Authority, Directorate of Child Protection and State Commission for Protection of Child Rights shall conduct sensitisation programmes for the media and the police and staff of child care institutions, medical officers, judiciary, prosecution and any other individuals and

institutions providing services to children on the prohibition on disclosure of identity of children under section 74 of the Act to prevent any undue disclosures of identity of children in conflict with law, children in need of care and protection, child victims, or child witnesses.

62. Procedure in case of offence under section 75 of the Act.-(1) For the purposes of section 75 of the Act and this rule, giving a child in marriage shall be considered as cruelty to the child. On receipt of information of risk of a child being given in marriage, the police or any officer authorised under the Act or under the Prohibition of Child Marriage Act, 2006 (Central Act 06 of 2007), shall produce the child before the Committee for appropriate directions and rehabilitative measures.

2. Where an act of cruelty to a child takes place in a Child Care Institution, or a school, or in any other place of care and protection to the child, considering the best interest of the child, the Board or the Committee or the Children's Court after consultation with the child and or parents or guardians shall provide alternative rehabilitation for the child.

3. Relevant sections of the Bharatiya Nyaya Sanhita, 2023 (Central Act 45 of 2023) or any other law for the time being in force shall be applicable for offences under section 75 of the Act.

63. Procedure in case of offence under section 76 of the Act.- (1) Any authority, agency, Child Care Institution, or any person coming in contact with a child who is employed or used for the purpose of begging, may remove such a child from a situation of begging and immediately produce the child before the Committee.

2. Where the child is rescued during any operation by any department entrusted with the responsibility of dealing with beggars and begging, the officer concerned shall immediately produce the child before the Committee and inform the police. Parents of such child shall be duly informed about the production of their child before the Committee.

3. On receipt of information or suo-motu, the police shall,-

- i. make inquiries about the antecedents of the child and ascertain whether the child is living with parents or guardian or is a missing or a runaway child or a victim of kidnapping or trafficking;
 - ii. obtain documents to ascertain the identity, age, and parentage of the child as well as of the person accompanying the child;
 - iii. where the child is found to be not living with parents, the child shall be produced before the Committee for necessary action; and
 - iv. make inquiries whether other children have also been employed or being used for begging, and investigate the case for trafficking from an organized crime perspective and the procedure for protection to all such children must be initiated immediately.
4. The Court taking cognisance of an offence under section 76 of the Act may conduct an inquiry for the purpose of recovery from the person who employs or uses the child for the purpose of begging or has the actual charge of, or control over the child and is found abetting the commission of the offence under sub-section (1) of section 76 of the Act, of a sum as claimed by the child, or as may be determined by the Court and pass appropriate directions for recovery of the same as if it was a fine under section 380 of Bharatiya Nagarik Suraksha Sanhita, 2023 (Central Act 46 of 2023).
5. On receipt of information about the commission of an offence under section 76 of the Act, the police shall register an First Information Report forthwith.
6. In case where the parents have engaged their children in begging, then an investigation shall be undertaken under section 76 of the Act prior to filing of First Information Report.
7. In case the child engaged in begging is found to be a victim of trafficking then provisions of the Immoral Traffic (Prevention) Act, 1956 (104 of 1956) and section 111(1) Bharatiya Nyaya Sanhita, 2023 (Central Act 45 of 2023), which are cognizable offences, shall also be applicable.
8. In case the child engaged in child begging is found to be a victim of child labour then provisions of the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 (61 of 1986), which are cognizable offences, shall also be applicable.
9. In case the child engaged in begging is also found to be kidnapped for the purposes of begging then offences under sections 142 to 149 of the Bharatiya Nyaya Sanhita, 2023 (Central Act 45 of 2023), which is a cognizable offence, shall also be applicable.

64. Procedure in case of offence under section 77 of the Act.- (1) Whenever a child is found to be under the influence of, or in possession of intoxicating liquor or narcotic drugs or psychotropic substances or tobacco products, or any other substance, including for the purpose of sale, the police shall enquire as to how the child came under the influence of, or possession of such intoxicating liquor or narcotic drugs or psychotropic substances or tobacco products and shall register a First Information Report forthwith.

2. The child who has been administered narcotic drugs or psychotropic substances or is found under the influence of the same may be produced either before the Board or the Committee as the case may be, and the Board or the Committee shall pass appropriate orders regarding rehabilitation and de-addiction of the child.

Provided that, where such child has been produced before the Board, the Board may, after due inquiry and being satisfied of the circumstances of the child, transfer the child to the Committee as a child in need of care and protection for necessary action or direct the child to undergo medical and therapeutic treatment for de-addiction from a hospital or an institution maintained or recognized by the Government or grant the child immunity from prosecution under section 64A of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Central Act 61 of 1985).

3. In case of a child found to be addicted to intoxicating liquor or tobacco products, the child shall be produced before the Committee which shall pass directions for rehabilitation including de-addiction of the child and transfer the child to a fit facility identified for the purpose.

4. In case any child is found to have been administered intoxicating liquor or narcotic drugs or psychotropic substances or tobacco products in a child care institution, the child shall be produced immediately before the Board or the Committee, except in such cases where the child is not in a position to be produced before the Board or the Committee and requires immediate medical attention.

5. The Board, shall on its own or on complaint received from the Committee, issue directions to the police to register a First Information Report immediately.

6. The Board or the Committee shall also issue appropriate directions for inquiry as to the circumstances in which such product entered the child care institution and reached the child and shall recommend appropriate action against the erring officials and the child care institution.
 7. The Board or the Committee may also issue directions for transfer of the child to another child care institution as the case may be.
 8. Any shop or establishment selling intoxicating liquor, tobacco products, must display a message at a prominent place in the shop that giving or selling intoxicating liquor or tobacco products to a child is a punishable crime up to seven years of rigorous imprisonment and a fine of up to one lakh rupees.
 9. All tobacco products and intoxicating liquor must display a message that giving or selling intoxicating liquor or tobacco products to a child is a punishable crime up to seven years of rigorous imprisonment and a fine of up to one lakh rupees.
 10. Giving or selling of intoxicating liquor, narcotic drugs or psychotropic substances or tobacco products within 200 meters of a child care institution or any other home registered or recognised under the Act, or the office of a Committee or a Board shall be deemed to be an offence under section 77 of the Act.
 11. The State Government shall take measures to create awareness programs about the ban on the sale of liquor, tobacco, narcotic or psychotropic substances to a child and the rehabilitation measures in collaboration with the Police, Excise Department, Education Department, and other departments.
65. **Procedure in case of offence under section 78 of the Act.-** (1) Whenever a child is found to be vending, carrying, supplying or smuggling an intoxicating liquor, narcotic drug, or psychotropic substance, the police shall enquire how and from whom the child came into possession of the intoxicating liquor, narcotic drug, or psychotropic substance and shall register a First Information Report forthwith.

(2) A child who is alleged to have committed an offence under section 78 of the Act shall be produced before the Board, which may transfer the child to the Committee, if the child is also in need of care and protection.

66. Procedure in case of offence under section 79.- (1) The police shall, suo-motu, or on receipt of information about the commission of an offence under section 79 of the Act, register an First Information Report forthwith.

2. In all such cases, the child shall be produced in accordance with the procedures under the Act for appropriate orders for the rehabilitation of the child.

3. The District Child Protection Unit, State and District Legal Services Authority, Directorate of Child Protection and State Commission for Protection of Child Rights shall conduct sensitization programmes on the prohibition on exploitation of child employees in collaboration with the Labour Department and other relevant departments.

4. In case the child is found to be a victim of child labour then provisions of the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 (61 of 1986), which are cognizable offences, shall also be applicable.

5. In case the child engaged as child labour is found be a victim of trafficking then provisions of the Immoral Traffic (Prevention) Act, 1956 (104 of 1956) and section 370 of Indian Penal Code, 1860 (45 of 1860), which are cognizable offences, shall also be applicable.

6. In case the child is found to be a victim of bonded labour, then provisions of the Bonded Labour System Abolition Act, 1976 which are cognizable offences, shall also be applicable.

67. Procedure in case of offence under section 80 of the Act.-(1) Where any orphaned, abandoned or surrendered child, is offered or given or received for the purpose of adoption without following the procedures as provided in the Act and the rules, the police shall, suo-motu, or on receipt of information in that regard register an FIR forthwith or a Child Care Institution or Fit Facility.

2. A child who has been so offered, given or received for the purpose of adoption shall be produced before the Committee forthwith which shall pass appropriate directions for rehabilitation of the child, including placing such child in a Specialised Adoption Agency or Child Care Institution or Fit Facility.
 3. Wherever any offence under section 80 of the Act is committed by a recognized Specialised Adoption Agency or by a person associated with such an agency, the Committee may also pass appropriate orders for transferring the other children placed with the child care institution to any other child care institution or fit facility. The Committee shall send a copy of the order stating the reasons for the transfer to the State Government, District Child Protection Unit and the District Magistrate provided that if the transfer is being ordered by a Committee to an institution in a different district, this shall be done only in consultation with the concerned Committee of that District.
 4. The Committee may recommend to the District Magistrate and State Government that the registration, and recognition of such agency or institution found to have committed an offence under section 80 granted under the Act and these rules be withdrawn.
68. **Procedure in case of offence under section 81 of the Act.**-(1) On receipt of information about the selling or buying of a child, the police shall register a First Information Report forthwith.
2. Giving or agreeing to give, receiving or agreeing to receive any payment or reward in consideration of adoption, except as permitted under the adoption regulations framed by the Authority, towards the adoption fees or service charge or child care corpus by any prospective adoptive parent or parent or guardian or foster parent of the child or the Specialised Adoption Agency or the child care institution or the fit facility under whose care the child shall amount to an offence under section 81 of the Act and these rules.

3. A child, who has been subjected to buying or selling, shall be produced before the Committee forthwith, which shall pass appropriate orders for the rehabilitation of the child.
4. Where any offence under section 81 of the Act is committed by a parent or a guardian of the child or any other person having actual charge or custody of the child, the Committee shall pass appropriate orders for placing the child in a child care institution including a Specialised Adoption Agency or fit facility or with a fit person, as the case may be.
5. Where any offence under section 81 of the Act is committed by a child care institution including Specialised Adoption Agency or by a fit facility or hospital or nursing home or maternity home, or any other facility or institution which provides services to children, or a person associated with such an institution or agency;
6. The Committee shall submit a report regarding such children and action taken regarding their rehabilitation to the District Magistrate. The District Magistrate shall ensure action regarding shifting of children to a safe place and closure of the institution within seven days and recommend cancellation of registration of the institution to the State Government.
7. The District Magistrate shall recommend to the State Government that the registration or recognition of such agency or institution or the registration or license of such a hospital or nursing home or maternity home or such associated person under any law for the time being in force shall also be withdrawn and the State Government shall take appropriate action within fifteen days.
8. The court taking cognisance of an offence under Section 81 shall conduct an inquiry for the purpose of recovery from the person from whose possession the child is recovered or rescued after having been bought or sold, of a sum as claimed by the child, or as may be determined by the court and pass appropriate directions for recovery of the same as if it was a fine under section 380 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Central Act 46 of 2023).

9. In case the child that is sold and is also trafficked, then the provisions of the Immoral Traffic (Prevention) Act, 1956 (104 of 1956) and section 111(1) of the Bharatiya Nyaya Sanhita, 2023 (Central Act 45 of 2023) shall also be applicable.

69. **Procedure in case of offence under section 82 of the Act.**-(1) A complaint of subjecting a child to corporal punishment under section 82 of the Act may be made by the child or any one on behalf of the child through the complaint box, complaint book or to the child helpline or the Committee or the District Child Protection Officer.

2. The Judicial Magistrate shall get the case investigated by the Child Welfare Police Officer concerned and take appropriate measures on receipt of a complaint.

3. The Board or the Committee may consider transferring the child who has made the complaint or who has been subjected to corporal punishment, to another child care institution in the best interest of the child.

4. Where the Judicial Magistrate First Class finds that the management of the institution is not cooperating with the inquiry or complying with the orders of the court under sub-section (3) of section 82 of the Act, the Judicial Magistrate First Class shall either take cognizance of the offence himself or direct the registration of FIR and proceed against the person in-charge of the management of the institution.

5. Where the Board or the Committee or the State Government issues any directions to the management of the institution in respect of any incident of corporal punishment in the child care institution, the management shall comply with the same.

6. In the event of non-compliance, the Board on its own or on the complaint of the Committee or the District Magistrate shall direct the registration of an FIR for an offence under sub-section (3) of section 82 of the Act.

7. Where a person has been dismissed from service or debarred from working directly with children or is convicted of an offence of subjecting a child to corporal punishment under sub-section (1) of

section 82 of the Act, the person shall stand disqualified from any further appointment under the Act and these rules.

8. The District Child Protection Unit, State and District Legal Services Authority, Directorate of Child Protection, Child line and police shall conduct awareness programs for children and sensitisation programmes for staff of child care institutions on rights of children and section 82 of the Act.

70. **Procedure in case of offence under section 83.-** (1) For the purposes of section 83, 'recruits' means any process by which the custody of a child is obtained by any means and may include, using threats, or force, or any other form of coercion, or by way of abduction, or by practising fraud, or deception, or by the abuse of power, or by inducement, including, the giving or receiving of payments or benefits to achieve the consent of a person having control over the child for the purpose of using the child for any purpose.

2. When a complaint or information is received about a child who has been recruited or is being recruited, or has been used or is being used for any purpose by a militant group or an outfit declared as such by the Central Government, or has been used or is being used for illegal activities by any adult or adult group, the police shall register an FIR forthwith.
3. The police shall make an inquiry as to how the child came into such a situation from the child, parents, family, the informant or any other person, institution or organization who may have knowledge.
4. The police shall make inquiries whether other children have also been recruited or are being recruited, or have been used or are being used for any purpose by a militant group or an outfit declared as such by the Central Government, or have been used or are being used for illegal activities by any adult or adult group; and the procedure for protection to all such children must be initiated immediately.
5. A child victim of trafficking who is found to be a foreign national without a valid passport or visa shall be treated as a child in need of care and protection and not as a child in conflict with law under the Foreigner's Act, 1946 (Central Act 31 of 1946).

6. The child shall be produced before the Board forthwith, which may, after due inquiry and on being satisfied about the circumstances of the child, transfer the child to the Committee as a child in need of care and protection.
7. The Board, may on its own or on a complaint received from the Committee under section 83 (1) of the Act regarding the use of a child by an adult or an adult group for illegal activities issue directions to the police to register an FIR immediately.
8. The Board or the Committee shall pass appropriate directions for rehabilitation including orders for safe custody and protection of the child and transfer to a fit facility recognised for the purpose which shall have the capacity to provide appropriate protection.
9. The Board or the Committee may also consider transferring the child out of the district or out of the State to another State for the protection and safety of the child.
10. A child who has been recruited or used by a non-State, self-styled militant group or outfit or who is being used by an adult or adult group for illegal activities may surrender before the police or the District Child Protection Unit or the Board or the Committee or any Court.
11. A child who so surrenders may be treated as a child in need of care and protection and the Board or the Court shall pass orders for transfer of the child to the Committee.

CHAPTER IX

MISCELLANEOUS

71. Duties of the Person-in-charge of a Child Care Institution.- (1) The primary responsibility of the Person-in-charge is of maintaining the child care institution and of providing quality care and protection to the children.

(2) The Person-in-charge shall stay within the premises to be readily available as and when required by the children or the staff and in case where an accommodation is not available in the premises, he shall stay at a place in close

proximity to the child care institution till such time such accommodation is made available within the premises of the child care institution.

(3) The general duties and functions of the Person-in-charge shall include, to:-

- i. ensure compliance with the provisions of the Act and the rules and orders made there under;
- ii. ensure compliance with the orders of the Board or the Committee or the Children's Court;
- iii. provide homely and enabling atmosphere of love, affection, care and concern for children;
- iv. strive for the development and welfare of the children;
- v. supervise and monitor discipline and well-being of the children and the staff;

Provided that, disciplinary measures constituting cruel, inhuman or degrading treatment shall be strictly prohibited, including corporal punishment, placement in a dark cell, closed or solitary confinement or any other punishment that may compromise the physical or mental health of the child concerned. The reduction of diet and the restriction or denial of contact with family members is prohibited for any purpose. No child shall be sanctioned more than once for the same disciplinary infraction;

Provided further that, no child should be disciplinary sanctioned unless the child is informed of the alleged infraction in a manner appropriate to the full understanding of the child, and given a proper opportunity of presenting a defence, including the right of appeal to a competent impartial authority. Complete records should be kept of all disciplinary proceedings.

- vi. plan, implement and coordinate all activities, programmes and operations, including training and treatment programmes or correctional activities as the case may be;
- vii. segregate a child suffering from contagious or infectious diseases on the advice of the medical officer of the institution or a doctor under whom the child's treatment is going on;

- (viii) ensure observance and follow-up of daily routine activities;
- (ix) organize celebration of local and national festivals in the home;
- (x) organize trips or excursions or picnics for children;
- (xi) send a list of children in Form 40 in the child care institution to the Board or the Committee, as the case may be, every week and bring to the notice of the Board or the Committee, if no date is given for the production of any child before the Board or the Committee;
- (xii) allocate duties to personnel;
- (xiii) maintain standards of care in the child care institution;
- (xiv) ensure proper storage and inspection of food stuffs as well as food served;
- (xv) maintain the buildings and premises of the child care institution;
- (xvi) maintain proper hygiene in the home including cleanliness of water tanks, water storage facilities, kitchen and toilet facilities at regular intervals;
- (xvii) provide accident and fire preventive measures, disaster management within the premises and also keep first aid kit;
- (xviii) make stand-by arrangements for water storage, power back- up, inverters, generators;
- (xix) ensure careful handling, upkeep and maintenance of equipment;
- (xx) employ appropriate security measures;
- (xxi) conduct periodical inspections, including daily inspection and rounds of the child care institutions;
- (xxii) take prompt action to meet emergencies;
- (xxiii) ensure prompt, firm and considerate handling of all disciplinary matters;
- (xxiv) ensure proper and timely maintenance of the case files;
- (xxv) maintain all records and registers required under the Act and these rules;
- (xxvi) prepare the budget and maintain control over financial matters;
- (xxvii) organise the meetings of the Management Committee set up under rule 48 of these rules and provide necessary support;
- (xxviii) ensure monthly verification of all records and registers by the Management Committee set up under rule 48 of these rules;

- (xxix) liaise, co-ordinate and co-operate with the State Child Protection Society and the District Child Protection Unit as and when required;
- (xxx) co-ordinate with the legal cum Probation Officer in the District Child Protection Unit or the District or State Legal Services Authority to ensure that every child is legally represented and provided free legal aid and other necessary support;
- (xxxi) ensure the production of the child before the Board or the Committee or the Children's Court or any other Court or before the District Magistrate on the date of such production and to ensure that the dates for the said purpose are recorded;
- (xxxii) mobilise resources for improvement of services within child care institution by liaising and networking with local organisations and individuals subject to guidelines issued from time to time by the Department;
- (xxxiii) ensure adherence to policies, circulars, and guidelines pertaining to child protection, disaster management, or any order issued by the State Government, Central Government and Local Self Government;
- (xxxiv) check the Children's Suggestion or Complaint Book daily and inform the District Child Protection Unit and the Committee or the Board promptly about urgent complaints;
- (xxxv) maintain a record of complaints received in the Children's Suggestion or Complaint Book and actions taken thereto; and
- (xxxvi) ensure that rights of the child are displayed at prominent places in the child care institution.

(4) The Person-in-charge shall inspect the child care institution as often as possible but not less than twice a day. The Person-in-charge shall make a record of the timings of their inspection and also note observations in a separate book maintained for the purpose, especially with regard to:

- i. maintenance of hygiene and sanitation including personal hygiene of children and hygienic maintenance of toilets and make a note of the same in the House-keeping register;
- ii. maintenance of order;

- iii. quality and quantity of food and verifying the daily cooking and making a note of the same in the Meals Register, in respect of every meal;
- iv. hygienic maintenance of food articles and other supplies;
- v. hygiene in the medical centre and provisions for medical care;
- vi. behaviour of the children and staff;
- vii. security arrangements;
- viii. maintenance of files, registers and books; and
- ix. act as a child's guardian in matters related to the child's enrolment or admission in formal school or open school or any institute of vocational training, in cases where a child's biological parents or legal guardian is not available.

(5) Anything irregular that comes to the notice of the Person-in-charge shall be enquired into and resolved and the date, time and nature of the action taken shall be noted in the book.

(6) Where a problem of urgent nature has not been resolved within two working days, the Board or the Committee or the District Child Protection Unit shall be informed.

(7) In case the Person-in-charge is on leave or otherwise not available, the duties of the Person-in-charge shall be performed by the Child Welfare Officer as designated by the Person-in-charge.

(8) The Person-in-charge shall, on a monthly basis, prepare a list of children residing in the child care institution

- a. who can be restored to their families with or without sponsorship
- b. who are eligible to be placed in foster care
- c. who are declared legally free for adoption and who have not yet been placed in adoption and forward such list to the Protection Officer - Institutional Care of the District Child Protection Unit and the Committee.

(9) The Person-in-charge may engage a Social Worker for preparing social investigation report or individual care plan of the child, child study report, tracing of family, and performing any other functions.

72. Duties of the Child Welfare Officer or Case Worker.- (1) Every Child Welfare Officer or Case Worker in the child care institution shall carry out all directions given by the Board or the Committee or the Children's Court.

(2) The Child Welfare Officer or Case Worker shall establish linkages with voluntary workers, organisations to facilitate rehabilitation and social re-integration of the children and to ensure the necessary follow up.

(3) The Child Welfare Officer or Case Worker available in the child care institution at the time of receiving a child shall interact with the child received with a view to put the child at ease and befriend the child and shall supervise the process of receiving of the child. The Child Welfare Officer or Case Worker shall collect any identification documents available with the child, such as Aadhar, caste certificate, disability card etc.

(4) On receipt of information from the police or Child Welfare Police Officer or on arrival of a child in the child care institution, the Child Welfare Officer, Probation officer, Case Worker or Social Worker shall forthwith conduct social investigation of the child through personal interviews with the child and the family members, social agencies and other sources, inquire into antecedents and family history of the child and collect such other material as may be relevant, and submit the Social Investigation Report to the Board or the Committee or the Children's Court, within fifteen days.

(5) All the children in the child care institution shall be assigned to a Child Welfare Officer, Probation officer, Case Worker or Social Worker and such Child Welfare Officer or Case Worker shall be responsible for the child assigned to them in all respects viz. care and development of the child, reporting to the Board or the Committee or the Children's Court about the child or maintaining the child's record in the child care institution.

(6) Upon assignment of the child to a Child Welfare Officer or Case Worker, the Child Welfare Officer or Case Worker shall,-

- i. prepare the case file of the child;
- ii. maintain the Protective Custody Card;
- iii. prepare and maintain the medical record of the child and ensure that the treatment of the child is not interrupted or neglected;
- iv. meet the child every day to ensure the child's safety, welfare and development; assist the child to adjust to life in the child care institution. A newly received child shall be met more often than once a day;
- v. gather information about the child within the initial five days to ascertain the child's education, vocational status and aptitude and emotional status;
- vi. have the necessary medical or mental tests, assessments and examinations of the child conducted;
- vii. study the reports and prepare in consultation with the child and their family members, an individual care plan for the child in Form 7 for the period pending inquiry, to be placed in the case file of the child. The Child Welfare Officer or Case Worker may consult the counsellor, psychologist or doctor or such other person as he deems fit in this regard and shall update the case file accordingly;
- viii. in keeping with the individual care plan, a daily routine shall be developed for the child and explained to the child;
- ix. ensure that the child adheres to the routine activities so developed and take timely reports from the House Parent, as the case may be, or any caregiver in this respect;
- x. review periodically the implementation and effectiveness of the individual care plan at the intervals specified in Form 7, and if necessary, suitably modify the individual care plan in Form 7 and the routine activities of the child with the approval of the Management Committee;

- xi. resolve the problems of the child and deal compassionately with their difficulties in life in the Home;
- xii. participate in the orientation, monitoring, education, vocational and rehabilitation programmes in respect of the child and attend parent teacher meetings in schools in respect of children assigned to them;
- xiii. attend proceedings of the Board or the Committee or the Children's Court and furnish all information and file all reports that may be called for;
- xiv. on receiving the copy of the order of determination of age, to make the necessary changes in the record as regards the age of the child if any change is required and to place the copy of the said order in the case file of the child;
- xv. participate in the pre-release programme and help the child to establish contact which can provide emotional and social support to the child after the release;
- xvi. maintain contact with the children after their release through follow up at least once a month for the first six months post release, extend help and guidance to them and place the report of such follow-ups in the case file of the child;
- xvii. visit regularly the residence of the child under their supervision and also places of employment or school attended by such child and submit fortnightly reports or as otherwise directed;
- xviii. accompany the child wherever possible from the Board or the Committee or the Children's Court to child care institution as the case may be;
- xix. maintain record of the next date of production of the child before the Board or the Committee or the Children's Court or for medical treatment and ensure the production of the child before the Board or the Committee or the Children's Court or for medical treatment on the said date;
- xx. maintain the registers as may be specified from time to time; and
- xxi. any other duty assigned by the Person-in-charge of the child care institution.

73. Duties of the House Parent.-(1) Every house parent shall abide by the directions of the Person-in-charge.

(2) The general duties, functions and responsibilities of a house parent shall be as follows:-

- i. Establish a rapport and interact with every child in the child care institution with sensitivity and affection, keeping in mind the vulnerable and traumatic state of the child;
- ii. Take proper care of the child and ensure the child's welfare;
- iii. Provide each child upon his reception with all necessary supplies like clothing, toiletries and such other items required for daily usage;
- iv. Replenish the provisions or supplies as per scale and need of the child;
- v. Maintain discipline among the children:

Provided that, disciplinary measures constituting cruel, inhuman or degrading treatment shall be strictly prohibited, including corporal punishment, placement in a dark cell, closed or solitary confinement or any other punishment that may compromise the physical or mental health of the child concerned. The reduction of diet and the restriction or denial of contact with family members should be prohibited for any purpose. No child shall be sanctioned more than once for the same disciplinary infraction.

Provided further that, no child should be disciplinary sanctioned unless the child is informed of the alleged infraction in a manner appropriate to the full understanding of the child, and given a proper opportunity of presenting a defence, including the right of appeal to a competent impartial authority. Complete records should be kept of all disciplinary proceedings.

- vi. Prevent bullying and any form of abuse between children by conducting anti bullying sessions at least every six months and a report of misconduct should be presented promptly to the Person-in-Charge of the institution and a report on the action taken should be submitted to the Management Committee and

the Committee, Board, or the Children's Court, as the case may be;

- vii. Ensure that children maintain personal cleanliness, hygiene and look after their personal belonging;
- viii. Look after maintenance, sanitation and maintain hygienic surroundings;
- ix. Implement the daily routine of every child in an effective manner and ensure the participation of the children;
- x. Look after safety and security arrangements in the child care institution, ensure safety and security measures are implemented in the child care institutions and bring lapses to the notice of the Person-in-charge and the Management Committee;
- xi. Escort the children whenever they go out of the child care institution for purposes other than production before the board or the committee or the children's court;
- xii. Report to the person-in-charge and to the child welfare officer about the child assigned to the child welfare officer;
- xiii. Maintain the registers, relevant to their duties;
- xiv. Ensure in cases of children who are undergoing treatment that they take medicines as prescribed by the medical officer or the doctor;
- xv. Immediately report to the counselor and the person-in-charge of any noticeable change in child's behavioural pattern or symptoms indicative of any abuse or assault;
- xvi. Immediately report to the doctor and the person-in-charge of any symptoms indicative of a disease or illness;
- xvii. Identify and encourage creative and productive talents of a child by providing opportunities for the child to participate in various activities; and
- xviii. Any other duty as may be assigned by the person in charge of the child care institution.

74. Duties of a Probation Officer.- (1) On receipt of information from the Police or Child Welfare Police Officer under clause (ii) of sub-section (1) of section 13 of the Act, without waiting for any formal order from the Board, the Probation Officer shall inquire into the circumstances of the child as may have bearing on the inquiry by the Board and submit a social investigation report in Form 6 to the Board.

(2) The social investigation report should provide for risk assessment, including mitigating factors highlighting the circumstances which induced vulnerability such as traffickers or abusers being in the neighbourhood, adult gangs, drug users, accessibility to weapons and drugs, exposure to age in appropriate behaviours, information and material.

(3) The Probation Officer shall carry out the directions given by the Board and shall perform the following duties, functions and responsibilities namely:-

- i. To conduct social investigation of the child in Form 6;
- ii. To attend the proceedings of the Board and the Children's Court and submit reports and make representations based on the best interest of the child as and when required;
- iii. To clarify the problems of the child and deal with their difficulties in institutional life;
- iv. To participate in the orientation, monitoring, education, vocational and rehabilitation programmes;
- v. To establish co-operation and understanding between the child and the Person- in-charge;
- vi. To assist the child to develop contacts with family and also provide assistance to family members;
- vii. To participate in the pre-release programme and help the child to establish contacts which could provide emotional and social support to the child after release;
- viii. To establish linkages with Probation Officers in other Districts and States for obtaining social investigation reports, supervision and follow-up.

- ix. To establish linkages with voluntary workers and organisations to facilitate rehabilitation and social reintegration of children and to ensure the necessary follow-up;
- x. Regular post release follow-up of the child extending help and guidance, enabling and facilitating their return to social mainstreaming;
- xi. To prepare the individual care plan and post release plan for the child;
- xii. To supervise children placed on probation as per the individual care plan;
- xiii. To make regular visits to the residence of the child under their supervision and places of employment or school attended by such child and submit periodic reports as per Form 10;
- xiv. To accompany children wherever possible, from the office of the Board to the observation home, special home, place of safety or fit facility as the case may be;
- xv. To evaluate the progress of the children in place of safety periodically and prepare the report including psycho-social and forward the same to the Children's Court;
- xvi. To discharge the functions of a monitoring authority where so appointed by the Children's Court;
- xvii. To maintain a diary or register to record the day to day activities such as visits made by the Probation Officer, social investigation reports prepared, follow up done and supervision reports prepared;
- xviii. To identify alternatives of community services and to establish linkages with voluntary sector or Child Protection Committees constituted at block, village, or district level by the order of the State Government under the Integrated Child Protection Scheme for facilitating rehabilitation and social reintegration of children;
- xix. Either on direction of Board, Committee or Children's Court or State Government or even on their own initiative, a probation officer may visit children's home or special home or a place of safety to interact with children kept there and ascertain if there

is any child who may be fit for release under section 97 of the Act. In such cases, the Probation Officer shall consult with the Person-in-Charge of the institution, and view the records of the child, including the Individual Care Plan and prepare a report to be placed before Committee or Board or the Children's Court for consideration of release from the institution; and

xx. Any other task as may be assigned.

75. Rehabilitation-cum-Placement Officer.-(1) The Rehabilitation- cum-Placement Officer shall be designated in all Children's Homes, Special Homes, Observation Homes, places of safety, and District Child Protection Units-

(2) The Rehabilitation-cum-Placement Officer may have a Masters Degree in Social Work or education or psychology or Human Resource Management and at least three years experience in the field of rehabilitation, employment creation and resource mobilisation.

(3) The Rehabilitation-cum-Placement Officer shall perform the following functions namely:-

- i. Identify the skills and aptitude of the children placed in child care institutions through appropriate mechanism and in consultation with the Child Welfare Officer, Case Worker, Counsellor and Vocational instructor;
- ii. Identify and develop linkages with all such agencies that offer vocational or skill development training services with job placement at the end of the course;
- iii. Network with persons, corporate, recognised non- governmental organisations and other funding agencies to mobilise resources for sponsoring training program and support for self-employment;
- iv. Facilitate and coordinate with agencies, individuals, corporates, recognised non-governmental organisations and other funding agencies to set up vocational training units or workshops in child care institutions as per age, aptitude, interest and ability;

- v. Mobilise voluntary vocational instructors who render services to carry out the training sessions in the child care institutions;
- vi. Inculcate entrepreneurial skills and facilitate financial and marketing support for self-employment;
- vii. Prepare rehabilitation plans keeping in mind the needs and circumstances of the child;
- viii. Maintain the Rehabilitation Chart in Form 14 and monitor the progress made by the child on regular basis and submit such progress reports to the Management Committee;
- ix. Facilitate the child to get certificates on completion of the education or vocational training courses:

Provided that, such certificates are designed in a manner that respects confidentiality and privacy of the child.

- x. Make efforts for ensuring effective placement of each eligible and trained child;
- xi. Organise workshops on Rehabilitation programmes and services available under Central and State Government Schemes, spread awareness and facilitate access to such schemes and services;
- xii. Organise workshops on personality development, life skill development, coping skills and stress management and other soft skills to encourage the child to become a productive and responsible citizen;
- xiii. Conduct regular visits to the agencies where the children are placed to monitor their progress and provide any other assistance as may be required;
- xiv. Maintain and update records of children's progress regarding vocational training and placement;
- xv. Enable the strengthening of relationships between the child and the child's family and extended family, if in the best interest of such child, and in accordance with the child's individual care plan, in collaboration with the case worker, child welfare officer or probation officer; and
- xvi. Provide any other assistance as may be required.

76. Staff Discipline.-(1) Any dereliction of duty, violation of rules and orders shall be viewed seriously and strict disciplinary action shall be taken or recommended by the Person-in-charge against the erring officials, as per the service rules and applicable laws.

(2) No staff of the child care institution shall be present at an unauthorised location within the child care institution.

(3) Person-in-charge of child care institutions shall ensure that children do not have access to articles specified in rule 79 which may be dangerous or hazardous. Entry of such articles may be permitted under special circumstances for maintenance of the child care institution and it shall be handled only by the staff.

(4) No staff of the child care institution shall consume any addictive substances like liquor, bidi, cigarette, tobacco or any other psychotropic substance within the premises of the child care institution, whether on duty at the relevant time or not or shall report for duty under the influence of any intoxicating substance.

(5) No staff of the child care institution shall sell or let for gain any article to any child or have any monetary or any other transaction for gain with such child or his parent or guardian.

(6) No staff of the child care institution shall use any abusive or vulgar language or discuss age-inappropriate topics or watch pornographic material or read obscene literature in the premises of the child care institution.

(7) Every staff member and persons providing services to children or working in the child care institution in any capacity shall abide by the Child Protection Policy for child care institutions as notified by the State Government.

(8) Staff of the child care institution shall respect the privacy of children residing therein, and shall refrain from violating the privacy including making it public via any medium, including electronic means.

77. Security measures.- (1) Adequate number of security personnel shall be engaged in every child care institution keeping in mind the category of children housed in the Child Care Institution, age group of children and the purpose of the child care institution and the risk factor to and from the child. At least three guards in each shift shall be ensured.

(2) While engaging security personnel, preference shall be given to ex-servicemen recruited through the Directorate General of Resettlement or agencies recommended by them.

(3) In child care institutions housing girls, female security guards would be provided for the security inside the child care institution and male security guards may be engaged for the security of the child care institution from outside.

(4) Security personnel should also be available in reserve for any emergency situation.

(5) The Person-in-charge shall ensure that appropriate security measures are employed at all times, including the following namely,-

- i. There shall be a sufficient number of guards at all times in different shifts to be posted at the points to be identified by the Person-in-charge in consultation with security in-charge and the Department.
- ii. Any child, who complains of a medical problem or any other problem at night, shall report to the caregiver concerned. The caregiver shall take such necessary steps as may be required and in case of emergency shall inform the medical officer concerned or the Person-in-charge as the need may be, who shall immediately take appropriate steps.
- iii. A duty roster shall be prepared and displayed at some prominent place in the premises of the child care institution by the Person-in-charge.

(6) Every caregiver or other staff of the Home, if they come to know of any incident or probability of unrest amongst the children, shall bring the same to the

notice of the Person-in-charge without any loss of time, who shall take necessary steps as the situation demands and shall inform the Board or the Committee of such information or incident as well as the steps taken by the Person-in-charge, in writing.

(7) The Person-in-charge shall make surprise visits to the child care institution during the night as frequently as possible, but not less than once a week. The Person-in-charge shall make a record of the timings of the visit and also note observations in the register maintained in that regard.

(8) In a case of disturbance outside the child care institution, the shift in-charge shall immediately inform the police station concerned.

(9) In a case of violence or disturbance inside the child care institution, the shift in-charge shall take assistance of the police with the permission of the Person-in-charge. The shift in-charge shall first issue a warning to the children.

(10) In case of a natural disaster or fire or any such calamity, the shift in-charge shall take suitable steps for evacuation and safety of the children as per the Disaster Management Protocol as developed by the State Disaster Management Authority for child care institutions.

To prepare the officers, children and guards to follow the above steps, a practice drill shall be held once in three months, without previous notice by the Person-in-charge.

(11) Closed Circuit Television cameras may be installed at all key points such as all entry and exit points to the child care institution, reception, corridors, kitchen, pantry or store room, washrooms and any other space as may be decided by the Management committee with due regard to the privacy and dignity of the children and subject to the guidelines issued by the State Government.

Within the child care institution, the Person-in-charge of the institution shall have sole access to the surveillance footage collected via CCTV cameras.

(12) Adequate number of scanners and metal detectors may be provided in every child care institution.

78. Searches and Confiscation.- (1) The Person-in-charge or other authorised functionary of the Home may conduct searches if required, and confiscate prohibited articles, if found.

(2) The procedure in case of confiscation shall be as follows namely:-

- i. Any prohibited article found during the search, shall be confiscated by the Person-in-charge and a list of such confiscated articles shall be prepared;
- ii. In case of arms, weapons, articles capable of being used as weapons or tools for criminal activities or addictive substances being found from a child or dormitory, the Person-in-charge shall conduct an inquiry to ascertain the presence of such articles and the persons responsible for such act;
- iii. The Person-in-charge shall furnish their report in this respect to the police and inform the Board or the Committee at the earliest;
- iv. The Board or Committee may initiate appropriate action upon such report or on the report forwarded by the Committee for disposal of the confiscated articles;
- v. The State Government or the District Magistrate shall take appropriate action based on the report submitted against the person responsible, if such person is an officer of the child care institution or against the agency through whom the said person has been engaged or the child care institution; and
- vi. The child responsible shall be dealt with in accordance with the Act and the rules made there under.

(3) All the articles confiscated shall be destroyed or disposed of having regard to the nature of the articles, on the orders of the competent court, after being satisfied that the seized articles are not required in any inquiry or departmental action against any officer or in any criminal investigation and proceedings.

79. Institutional Management of Children.-

A. **Reception of Child.**-(1) Every child shall be received by the Person- in-charge of the child care institution or such other official duly authorised by the Person-in-charge to receive a child, referred to as the Receiving Officer.

(2) The Receiving Officer shall satisfy themselves as regards the identity of the child and in case of any doubt, the Receiving Officer shall promptly inform the Person-in-charge who shall forthwith inform the Board or the Committee and produce the child before the Board or the Committee without any delay.

B. **Types of Stay at the Child Care Institution.**-(1) In case of children in conflict with law, there are three types of stay of children at the child care institution:

- i. protective custody;
- ii. overnight protective stay; and
- iii. rehabilitation stay.

(2) In case of children in need of care and protection, there are two types of stay of children at the child care institution:

- i. overnight protective stay; and
- ii. rehabilitation stay.

C. **Protective Custody.**-(1) A Protective Custody Card in Form 41 duly signed by the Board or a custody order duly signed by the Children's Court is required for such stay.

(2) Duration of such stay shall be as directed by the Board or the Children's Court and as extended from time to time by them.

(3) Such a stay shall be during the pendency of the inquiry or trial.

D. **Overnight Protective Stay.**-(1) The purpose of the stay is to provide shelter to the child and prevent the child being kept overnight at the police station or at any other unsuitable place by providing an alternative.

(2) Such stay may be only after 17:00 hrs in the night and till 14:00 hrs on the following day.

(3) A child shall be permitted to stay at the child care institution for one night on an application seeking overnight protective stay of the child moved by the Child Welfare Police Officer in writing to the Receiving Officer. The application shall be accompanied with a copy of the relevant documents showing the circumstances in which the child was apprehended or found and the medical condition of the child.

(4) Upon being satisfied about the identity of the child, the child may be received by the Receiving Officer and Form 42 shall be filled in triplicate. One copy of the form shall be retained as record of the child care institution, one copy shall be handed over to the Child Welfare Police Officer and the third copy shall be forwarded to the Board or the Committee concerned for their record.

(5) The child shall be handed over to the charge of the Child Welfare Police Officer the next day at the time stated in the form under receipt by the said Child Welfare Police Officer in the copy of the form.

(6) In case of the Child Welfare Police Officer not taking the charge of the child at the designated time, the child shall be produced before the Board concerned or the Committee by the Person-in-charge of the child care institution with a report stating such fact.

(7) The particulars of the child shall be entered in the admission and discharge register, noting that the child has been received for overnight protective stay.

(8) The child shall be searched physically and all his personal belongings, if any that are found, shall be handed over to the Child Welfare Police Officer who has produced the child and who shall seize the articles and furnish a copy of such seizure to the Receiving Officer.

(9) The child shall be provided food to eat and drink, if the child is hungry, irrespective of the time of receiving such child.

(10) The child shall be placed for the night in the reception dormitory or the segregation unit as the case may be.

E. **Rehabilitation Stay.**-(1) A child may be sent to the Children's Home by the Committee for such a stay or to the special home or the place of safety by the Board or the Children's Court.

(2) The child shall be issued the Rehabilitation Chart in Form 14 which shall state the duration of stay of the child, unless the duration is shortened by a specific order in that respect by the Board or the Committee or the Children's Court.

F. **Procedure to be adopted at the time of receiving the child.**-(1) The receiving officer shall follow the following procedure at the time the child is received namely:-

- i. A full personal description of the child shall be entered in the admission and discharge register. In case of rehabilitation stay, the date of release of the child shall also be noted;
- ii. The child shall be searched after explaining the requirements and the process, and with due regard to decency and dignity and all the personal belongings shall be dealt with as stated in rule 80 of these rules. A girl child shall be searched only by a female member of the staff;
- iii. The child shall be provided food to eat and drink if the child is hungry, irrespective of the time of receiving such child;
- iv. The child shall be provided medical care in case of ill-health, injury, mental ailment, disease or addiction requiring immediate attention;

- v. The child shall be segregated in specially earmarked dormitory or ward or hospital in case he is suspected to be suffering from contagious or infectious disease requiring special care and caution;
- vi. The child shall be asked about any immediate and urgent needs like appearing in an examination or interview, contacting family members. A note of the same or of the fact that no such need is present shall be made by the Receiving Officer and put up before the Child Welfare Officer or Case Worker to whom the child is assigned. The said note shall be placed in the case file of the child;
- vii. The Child Welfare Officer or Case worker, as the case may be, shall take immediate steps to ensure that the needs so recorded are addressed to the best extent possible, keeping in mind the best interests of the child. Whenever the child requires to leave the premises of the child care institution to address a specific need, a staff member; or
- viii. An authorized Social Worker or police shall accompany the child.

(2) Every child received in the child care institution shall be kept for the first fourteen days of their stay in the reception dormitory made specifically for the purpose or the segregation unit, so that the child adjusts to life in the child care institution.

G. Procedure to be adopted after the child is received.- (1) The following procedure shall be adopted on the same day or the next day if the child is received in the night:-

- i. Photographs of the child shall be taken. One photograph shall be kept in the case file of the child and another shall be fixed on the index card with the particulars of the child. A copy shall be kept in an album serially numbered and a copy of the photograph shall be sent to the Board or the Committee as well as to the District Child Protection Unit and be uploaded on the designated portal set up for the purpose;
- ii. The child may have a bath and be provided fresh clothes. The caregiver shall issue the child toiletry items, new sets of clothes, bedding and other outfit

and equipment as per rule 39, a list of which shall be kept in their case file. The provisions will be replenished from time to time as per rule 39;

- iii. The Child Welfare Officer or Case Worker shall familiarize every newly admitted child with the child care institution and its functioning, particularly in the following areas:-
 - a. Personal health, hygiene and sanitation;
 - b. Discipline of the child care institution and code of behaviour;
 - c. Daily routine activities and peer interaction; and
 - d. Rights, responsibilities and obligations within the child care institution.
- iv. The child shall be examined by the medical officer, who shall record the state of health of the child, and of any wound or mark on the child's person and any other observation which the medical officer thinks fit a copy of which shall be placed in the medical record of the child; and
- v. A Child Welfare Officer or Case Worker shall be assigned to the child by the Person-in-charge.

H. Procedure to be adopted during the first fourteen days of receiving the child.- (1) The assigned Child Welfare Officer or Case Worker shall interact with the child as often as possible.

(2) Within two days of the receipt of the child, if required, the child may be examined by a panel of doctors to understand the physical, medical, psychological state and the state of addiction, if any, for assessment of personality traits and requirements to assist in the rehabilitation plan to be prepared for the child.

(3) The Child Welfare Officer or Case Worker assigned to the child shall also interact with the family members of the child, where available. A case history in Form 43 shall be prepared and maintained in the case file of the child. Information for the same may be collected through all possible and available sources including the parents or guardians, home, school, friends, employer and community of the child.

(4) The Child Welfare Officer or Case Worker shall assess the educational level and vocational aptitude of the child on the basis of tests and interviews, conducted with the assistance of other technical staff. Necessary linkages, in this

respect, shall be established with outside specialists and community based welfare agencies, psychologist, psychiatrist, child guidance clinic, hospital and other Government and non-governmental organisations.

I. Procedure to be adopted on the expiry of the first fourteen days.-(1)

The child shall be shifted to one of the regular dormitories and assigned a specific bed, cabinet and study table in that dormitory.

(2) Assignment of the dormitory shall be done on the basis of,-

- a. age;
- b. nature of offence committed by or against the child;
- c. physical and mental status of the child; and
- d. children, requiring special care, shall be kept in a different dormitory.

(3) An individual care plan in Form 7 of the child shall be prepared by the Child Welfare Officer or Case Worker on the basis of the child's case history, education and vocational aptitude. In case of rehabilitation stay, the care plan shall be formulated for the complete period of the stay and shall necessarily include any and all directions given by the Board or the Committee or the Children's Court towards the rehabilitation including bridge courses, formal, informal or continuing education.

(4) The Child Welfare Officer or Case Worker shall review the individual care plan and note their opinion in the rehabilitation chart in Form 14 on the basis of own observations, interaction with the child and the child's teachers or instructors and the feedback received from the house father or house mother counsellor and doctors wherever applicable.

(5) The Child Welfare Officer or Case Worker shall also maintain a record of any difficulty faced by the child during the stay at the Child Care Institution with a note of the steps taken to resolve the difficulty.

(6) The Child Welfare Officer or Case Worker shall similarly keep a record of the complaints made by the child with regard to the facilities in the child care Institution with a note of the steps taken thereon.

(7) The individual care plan shall be reviewed at least every month before the final order and thereafter to be prepared once a quarter. A report of its effectiveness or inadequacy shall be prepared with reasons for such opinion.

Procedure to be adopted after three months.- (1) The progress of the child shall be examined, with specific reference to the aims and targets noted in the individual care plan for the child. The progress of the child shall be reviewed and noted in the rehabilitation chart in Form 14.

(2) The quarterly progress report shall be placed before the Management Committee for perusal and consideration.

(3) After deliberation by the Management Committee, the individual care plan shall be appropriately modified. The routine of the child and the approach towards rehabilitation of the child shall also be suitably modified. Record of such modified care plan and daily routine shall be maintained in the case file of the child. The progress shall be reviewed and recorded in the rehabilitation chart in Form 14.

K. Pre-release planning.- (1) A well-conceived programme of pre-release planning and follow up of cases discharged from Children's Homes, special homes and places of safety shall be organised in all institutions as per the directions of the Board or the Committee or the Children's Court the individual care plan prepared for the child shall be followed in the pre-release planning.

(2) In the event of a child leaving the child care institution without permission or committing an offence within the institution, the information shall be sent by the Person-in-charge to the Child Welfare Police Officer or other member of the Special Juvenile Police Unit and the family, if known; and the detailed report of circumstances along with the efforts to trace the child if the child is missing, shall be sent to the Board or the Committee or the Children's Court, as the case may be.

(3) Whenever a child is being handed over to a guardian or parent, the person taking custody of the child shall be guided and informed in writing about the specific needs of the child and the individual care plan regarding the best

interest of the child and their responsibilities in Form 7 by the Committee or the Board or the Children's court.

(4) The children shall be educated about their rights and the Child Care Institution may encourage the children and enable their access to education, sports and other extracurricular activities.

L. Daily Routine in the Child Care Institution.- (1) Every child shall obey the order of an officer of the Child Care Institution or house representative and shall remain under discipline.

(2) Every institution shall have a daily routine for the children in consultation with the Children's Committee, which shall be prominently displayed at various places within the institution.

(3) The daily routine shall include, inter alia, for a regulated and disciplined life, personal hygiene and cleanliness, physical exercise, yoga, educational classes, vocational training, organised recreation and games, moral education, group activities, prayer and community singing and special programmes for Sundays and holidays.

M. Behaviour of the Child.-(1) The children in the child care institution will be oriented about the procedures and practices within the child care institutions by the person- in-charge or the House parent.

(2) Every unacceptable behaviour shall be taken note of by the Children's Committee and the child found in violation of rules may be counselled to understand why the child has committed such an act. The Children's Committee may recommend appropriate action, including counselling, for the welfare of the child to the Person-in-charge. A copy of the report containing the description of the incident and the action taken thereupon shall be submitted to the Board or the Committee or the Children's Court by the Person-in-charge within twenty-four hours. A copy of the same shall also be placed before the Management committee for planning a long term strategy for prevention of such incidents.

(3) A copy of the report shall be kept in the case file of the child concerned.

(4) The Person-in-charge may deal with the violation appropriately bearing in mind the psychological and physiological needs of the child, and after consulting a medical professional, if necessary, and the House Mother or House Father, and counsellor giving due consideration to the recommendation of the Children's Committee and the safety and dignity of the child.

(5) The Person-in-charge may seek the assistance of the counsellor or the Child Welfare Officer or Case Worker, any non-governmental organisation associated with the child are institution in dealing with the situation.

(6) A child showing exceptionally good behaviour shall be considered for appropriate reward or benefits by the Person-in-charge and note of the same shall be placed in the case file of the child.

N. **Manner of dealing with unacceptable behaviour.-** (1) The action taken shall be commensurate with the nature and degree of violation and the age of the child and may be any of the following namely:-

- i. Counseling;
- ii. Formal warning;
- iii. Assignment of house-keeping tasks;
- iv. Imposition writing i.e. writing a number of times that he shall not repeat the behaviour;
- v. Forfeiture of privileges viz. permission to watch television, permission to go for outdoor activity; and
- vi. Sports and recreation and other preferred activities.

(2) No child shall be subject to corporal punishment or any mental harassment including humiliating behaviour affecting the dignity of the child.

O. **Good behaviour.-** The following shall be considered good behaviour, namely:-

- i. Following the rules of discipline and adhering to the routine, assessed over a period of a month;

- ii. Preventing, any other child from indulging in any unacceptable behaviour or preventing violence;
- iii. Preventing any mishap by raising an alarm, evacuating other children in case of disaster;
- iv. Assisting any officer of the Child Care Institution in maintaining order;
- v. Informing the Child Welfare Officer of any plan of creating unrest or of escape;
- vi. Inform the Person-in-charge about any prohibited article or contraband;
- vii. Helping another child to come out of their trauma;
- viii. Performing exceptionally well in an examination in continuation of their studies, or vocational or rehabilitation courses;
- ix. Positive and adaptive behaviour; and
- x. Any other good behaviour as found exceptional by the Person-in-charge.

P. Reward or Benefits for maintaining exceptional behaviour.-The rewards to a child, at such rates as may be fixed by the management of the institution from time to time, may be granted by the Person-in-charge as an encouragement for good 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 child or to the child directly. No monetary rewards shall be given to a child. Rewards may be in the form of public felicitation, reading material, or any other resource that supports the child's rehabilitation.

80. Prohibited Articles.-(1) No person shall bring into the child care institution the following prohibited articles, namely:-

- i. Intoxicants of any description, psychotropic substances, liquor, ganja, bhang, opium, smack etc;
- ii. All explosives, poisonous substances, acid and chemicals, whether fluid or solid of whatever description;
- iii. All arms, ammunition and weapons, knives and cutting implements of every kind and articles which are capable of being used as a weapon of whatever description;

- iv. All obscene matter;
- v. String, rope, chains and all materials which are capable of being converted into string or rope or chains, of whatever description;
- vi. Wood, bamboo, club, stick, ladder, bricks, stones and earth of every description;
- vii. Playing cards or other implements for gambling;
- viii. Tobacco products, pan masala or similar item;
- ix. Medicine that has not been specifically prescribed; and
- x. Any other article, as may be specified in this regard by the State Government by a general or special order.

All bullion, metal, coin, jewelery, ornaments, currency notes, securities and articles of value of every description including electronic items such as mobile phone, digital camera, i-pad, etc, shall be deposited in safe custody.

The disposal of the prohibited articles shall be as per rule 81.

81. Articles found on search and inspection.-(1) The Person-in-charge shall ensure that every child received in the institution is searched, their personal belongings inspected and money or any valuables found with the child is kept in the safe custody of the Person-in-charge. In case of search of a female child, the search shall be carried out by female staff only. In every institution, a record of money, valuables and other articles found with a child shall be maintained in the "Personal Belongings Register" which shall contain a description of the articles.

(2) The entries made in the Personal Belongings Register relating to each child, shall be read over to the child 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 Person-in-charge.

82.Maintenance of Articles belonging to the child.- (1) The money or valuables belonging to a child shall be disposed of in the following manner, namely:-

- i. On receipt of a child in an institution, the Person-in-charge shall deposit the money belonging to the child in the bank account of the child;
 - a. If a child in rehabilitation stay does not have a bank account, then the Child Welfare Officer or Case Worker to whom the child is assigned shall assist the child in opening a bank account; and
 - b. In case of a child in overnight protective custody, who does not have a bank account, the money belonging to the child shall be kept in safe custody, and returned to the child at the time of release.
- ii. The valuables, documents, and other articles, if any, shall be kept in safe custody, and a list of all such articles shall be prepared and included in the personal belongings register;
- iii. When such child is transferred from one institution to another, all their money, valuables, documents including letters from the biological family in case of surrendered children, and other articles, shall be transferred along with the child to the Person- in-charge of the institution to which the child has been transferred together with a full and correct statement of the description thereof;
- iv. At the time of release of such child, all valuables and other articles kept in safe custody and the money deposited in the name of 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 parent or the guardian;
- v. When a child in an institution dies, the valuables and other articles left by the deceased and the money deposited in the name of the child shall be handed over by the Person-in-charge to the parent or guardian of the child;
- vi. A receipt shall be obtained from such person for having received such money, valuables and other articles;
- vii. If no claimant appears within a period of six months from the date of death or escape of a child, the valuables and other articles and money deposited in the name of the child shall be

disposed of as per the decision taken by Management Committee under rule 48; and

- viii. When a child is placed in adoption, any belongings of the child not given to the adoptive parents shall be preserved by the institution and shall be given to the adult adoptees when they come to the institution for root search.

83. Maintenance of case file of children in Child Care Institution or group foster care.-(1) The case file of each child maintained in the child care institution in safe custody shall be confidential.

(2) The case file shall be produced before the Board or the Committee or the Children's Court on every date of production of the child for perusal of the Board or the Committee or the Children's Court.

(3) The case file shall contain the following namely:-

- i. Report of the person or agency who produced the child before the Board or Committee including the report of the police;
- ii. Copy of FIR or DD entry in case of offence committed by or against the child;
- iii. Photo ID, if available;
- iv. Order of assignment of the Case Worker or Child Welfare Officer;
- v. Case history form;
- vi. Report of any urgent need of the child;
- vii. Reports of the Person-in-charge, Probation Officer or Child Welfare Officer, counselor and caseworker;
- viii. The case file of the child maintained in any previous institution, if any;
- ix. Report of the initial interaction with the child, information from family members, relatives, community, friends and miscellaneous information;
- x. Source of further information about the child, the child's family etc.;
- xi. Observation reports from staff members;
- xii. Regular health status reports from Medical Officer, drug de-addiction progress reports, as the case may be;

- xiii. Psycho-social profiling, regular counseling reports, any other mental health intervention report, wherever applicable;
- xiv. Report of Intelligence Quotient (I.Q) testing, aptitude testing, cognitive assessment, educational or vocational tests, if conducted;
- xv. Instructions regarding training and treatment programme and special precautions to be taken;
- xvi. Copy of the personal belongings register;
- xvii. Copy of order declaring the age of the child;
- xviii. Leave and other privileges granted;
- xix. Rehabilitation Chart;
- xx. Quarterly progress report;
- xxi. social investigation report, order of the Committee, linkage with schemes, individual care plan, including pre-release programme, post release plan and follow-up plan as prescribed and modifications therein;
- xxii. Fortnightly and monthly report of the effectiveness of the care plan;
- xxiii. Record of difficulties faced by the child and their resolution;
- xxiv. Record of the complaints of the child and action taken on them;
- xxv. Feedback given by the child;
- xxvi. Leave of absence or release under supervision;
- xxvii. Report about a visitor visiting the child being found to have objectionable or prohibited articles;
- xxviii. Report of the child having such articles and action taken on the same;
- xxix. Report of any unacceptable behaviour and outcome;
- xxx. Report of any exceptional behaviour and outcome;
- xxxi. Special achievements and violation of rules, if any;
- xxxii. Note of the rewards or earnings of the child and receipt by the child or his parent or guardian;
- xxxiii. Release or restoration order;
- xxxiv. escort order, if any;
- xxxv. Compliance report of release in case of children under rehabilitation intervention stay;

- xxxvi. Report of the child not being released and compliance report of the directions issued on non-release of a child;
- xxxvii. Follow-up reports;
- xxxviii. Annual photograph;
- xxxix. Follow-up report of post release cases as per the direction of the Board or the Committee or the Children's Court;
- xl. Copy of any other report called by the Board or the Committee or the Children's Court in respect of the child; and
- xli. Copy of ID proofs and other necessary documents brought by the child's parent or guardian at the time of release.

(4) The medical record of a child shall contain all reports and records of the child regarding the status of the physical and mental health, addiction status and treatment, etc.

(5) In the case of children who have not been institutionalised, it shall be the responsibility of the secretary of the concerned Child Welfare Committee to maintain the case file of the child. Where such a child is transferred to another jurisdiction, the case file of the child shall be sent to the Child Welfare Committee taking charge of the child.

(6) In the case of institutionalised children, the child care institution where the child is residing is responsible for the maintenance of the case file of the child. Where such child has been subsequently restored, or sent to foster care, the child care institution shall continue to be responsible for maintenance and safe custody of the case file.

(7) All the case files maintained by the institutions may be computerised and the State Government may develop appropriate processes for the same.

84. Visits to and communication with children.- (1) Every child in the child care institution shall be permitted to have one meeting in a week with parents or relatives provided they have not been involved in subjecting the child to neglect, abuse or exploitation:

Provided that, in special cases, where parents or guardians have travelled a long distance from another State or District, the Person-in-charge may allow the parents or guardians entry into the premises and a meeting with their children on other days on confirmation of their identity and they being reported not to have been involved in subjecting the child to neglect, abuse or exploitation.

(2) A newly received child shall be permitted to meet their parent or guardian or family member on their first visit on any day.

(3) No meeting shall be permitted with the parent or guardian or relatives where such visitors have been found to be involved in subjecting the child to violence, abuse and exploitation or carrying any prohibited articles, except with the express permission granted by the Board or the Committee or the Children's Court or when such meeting has been specifically directed by the counsellor of the child.

(4) Every child shall be allowed to write two letters in a week to their parent or guardian or to their relatives. Necessary stationery and postage for the letters shall be provided by the Person-in-charge.

(5) The Person-in-charge may peruse any letter written by or to the child and may for reasons to be noted in the case file of the child, refuse to deliver or issue the letter. A report of the same shall be prepared and placed before the Management Committee. The letter shall be preserved and produced along with the report to the Management Committee. If it makes out a complaint by the child against another child, or the staff of the child care institution, then immediate inquiry should be undertaken on the basis of the complaint. A copy of the report shall be retained on the case file and another copy shall be sent to the Board or the Children's Court or the Committee.

(6) Every child shall be allowed to bring any written communication for the purpose of handing over to the Board or the Committee or the Children's Court, as the case may be, and be provided stationery, etc. for the same.

(7) The Person-in-charge may allow a child to speak with their parents or guardians on telephone once a week under supervision of the Child Welfare Officer

or Case Worker or Probation Officer and record shall be duly maintained of such calls.

(8) Every person desiring to meet the child shall, before the meeting, disclose their name and address with proof, which shall be noted in the visitors register and signed by the visitor. Copy of the photo identity card containing the address and a photograph of the visitor to be taken whenever possible before the meeting, shall be retained by the institution. If the visitor refuses to disclose their particulars, the visitor shall be denied the meeting.

(9) The visitors shall submit themselves for a search at the main gate, female visitors shall be searched by female staff only.

(10) Every meeting shall take place in the presence of the Child Welfare Officer or Case Worker or Probation Officer of the child care institution, who shall be responsible for any irregularity that occurs and who shall be so placed that he is able to see and to prevent any objectionable or prohibited article being passed between the parties.

(11) Every child shall be carefully searched before and after the meeting in the presence of the visitor. The child should not be having anything with them before they go for the meeting.

(12) If any objectionable or prohibited article is found in the search conducted before the meeting,-

- i. the said article shall be seized;
- ii. the Person-in-charge shall conduct an inquiry to know the identity of the person responsible for the article reaching the child;
- iii. if the persons responsible are from the staff of the child care institution, appropriate action will be initiated against them; and

- iv. a detailed report of the inquiry and its result shall be forwarded to the Department and the Board or court of competent criminal jurisdiction.

(13) If any objectionable or prohibited article is found in the search conducted after the meeting:-

- i. the article shall be seized;
- ii. in case of any illegal article being found warranting legal action, the article and the visitor shall be detained and the police informed. The visitor and such article shall be handed over to the police;
- iii. a report of such visitor shall be prepared and placed in the case file of the child;
- iv. a report of the incident shall be forwarded to the Board or court of competent criminal jurisdiction; and
- v. copy of the report shall be placed in the case file of the child.

(14) Every child shall be entitled to communicate with their legal counsel provided that,-

- i. the rules of search and seizure shall apply to all legal counsel also;
- ii. every such interview shall take place within the sight of a home official, though at a safe distance so as to be out of hearing;
- iii. the person wishing to have an interview with the child in the capacity of their advocate shall apply in writing, giving their name, address and enrolment number with a copy of a vakalatnama, duly attested by the Board or the Committee or the Children's Court; and
- iv. any child who claims to have no counsel shall be permitted to meet the legal aid counsel who visits the child care institution in the normal course.

85. Death of a Child.-On the occurrence of any case of death or suicide of a child in a child care institution, the procedure to be adopted shall be as under:

- i. The institution must ensure that an inquest and post-mortem examination is held at the earliest;
- ii. In case of natural death or death due to illness of a child, the Person-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, Board or Committee and the District Child Protection Officer, and the District Magistrate, parents or guardians or relatives of the child;
- iii. Immediate information shall be given by the case-worker or Probation Officer or Child Welfare Officer to the Person-in-charge and the Medical Officer and the Person-in-charge shall immediately inform the nearest police station, the State Government, Board or Committee and the District Child Protection Officer, and the District Magistrate, parents or guardians or relatives of the deceased child within twenty four hours;
- iv. If a child dies within twenty-four hours of their admission to the child care institution, the Person-in-charge of the child care institution shall report the matter to the police and the District Child Protection Officer, and the District Magistrate, and the District Medical Officer or the nearest Government hospital, and the parents or guardians or relatives of such child without delay;
- v. The Person-in-charge and the Medical Officer of the child care institution shall record the circumstances of the death of the child and send a report to the concerned Magistrate under section 194 and 176 of the Bharatiya Nararik Suraksha Sanhita, 2023 (Central Act 46 of 2023) the police, the Board or the Committee or the Children's Court and the District Medical Officer or then earest Government hospital where the dead body of the child is sent for examination and determination of the cause of death and the person-in charge and the Medical Officer shall also record in writing their views on the cause of death, if any, and submit it to the concerned Magistrate and to the police;

- vi. The Person-in-charge and the Medical Officer at the child care institution shall make themselves available for any inquiry initiated by the police or the Magistrate regarding the cause of death and other details regarding such child;
- vii. As soon as the inquest is over, the body of the child shall be handed over to the parent or guardian or relatives or, in the absence of any claimant, the last rites shall be performed under the supervision of the Person-in-charge of the child care institution in accordance with the known religion of the child after retaining a photograph of the child for future reference; and

The Person-in-charge shall register the death of the child with the concerned registrar office to obtain the death certificate, by filling up an application form in the prescribed form under the Registration of Birth and Deaths Act, 1969 (Central Act 18 of 1969) along with the necessary documents.

86. Prevention of identification and reporting of abuse and neglect of the child.- (1) Every institution shall evolve a system of ensuring that there is no abuse, neglect and maltreatment and shall include the staff who is aware of what constitutes abuse, neglect and maltreatment, and their early indication and how to respond to these abuses. Staff shall be trained on prevention, identification and reporting of abuse at least once in a year.

(2) In the event of any physical, sexual or emotional abuse, including neglect of children in an institution by those responsible for care and protection, the following action shall be taken namely:-

- i. the incidents of abuse, neglect and exploitation shall be reported by any staff member of the institution immediately to the Person-in-charge on receiving such information and if the Person-in-charge is alleged to have committed the abuse or exploitation, the incident shall be reported to the District Child Protection Unit and the State Child Protection Society;

- ii. when an allegation of physical, sexual or emotional abuse comes to the knowledge of the Person-in charge or the District Child Protection Unit or the State Child Protection Society, a report shall be placed before the Board or Committee, who in turn shall, order for investigation;

(iia) in the event a case of sexual abuse is reported, procedure under section 19 of the Protection of Children from Sexual Offences Act, 2012 (32 of 2012), shall be followed;
- iii. the Board or Committee or Children's Court shall direct the local police station or Special Juvenile Police Unit to register a case, take due cognizance of such incidents and conduct necessary investigation;
- iv. the Board or Committee shall take necessary steps to ensure completion of inquiry and provide legal aid as well as counselling to the child victim;
- v. the Board or Committee or Children's Court shall transfer such a child to another institution or place of safety or fit person, as the case may be, if such transfer is in the best interest of the child;
- vi. the Person-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 in its next meeting;
- vii. in the event of any other crime committed in respect of children in institutions, the Board or Committee shall take cognizance and arrange for necessary investigation to be carried out by the local police or Special Juvenile Police Unit;
- viii. 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 voluntary organisations, child rights experts, mental health experts or crisis intervention centres in dealing with matters of abuse and exploitation of children in an institution; and

- ix. All the child care institutions shall ensure that their officers and entire staff, including security staff, are trained at least once a year on prevention, identification and reporting of abuse and neglect.

87.Maintenance of Registers.-(1)The persons mentioned in column (3) shall maintain registers and forms under the Act and these rules in column

(2) whose custodian shall be the persons mentioned in column (4) thereof as under:

| Sl.No. | Register and forms | To be maintained by | Custodian |
|--------|---|---|------------------|
| (1) | (2) | (3) | (4) |
| 1. | Admission and Discharge Register which will indicate change of nature of custody. | Child Welfare Officer or Case Worker or Receiving Officer | Person-in-charge |
| 2. | Attendance Registers for staff and children. | Shift In charge | Person-in-charge |
| 3. | Budget Statement file. | Person-in-charge | Person-in-charge |
| 4. | Case file of each child. | Child Welfare Officer or Case Worker | Person-in-charge |
| 5. | Cash Book. | Accounts Officer or Cashier | Person-in-charge |
| 6. | Children's Suggestion Book and Complaint Book. | Children's Committee | Person-in-charge |
| 7. | Counselling Register. | Counsellor | Person-in-charge |
| 8. | Drug de-addiction programme enrolment and progress register. | Child Welfare Officer or Case Worker | Person-in-charge |
| 9. | Handing over Charge Register. | Shift In charge | Person-in-charge |
| 10. | House-keeping and Sanitation | House Parent | Person-in- |

| | | | |
|-----|--|---|--------------------|
| | Register. | | charge |
| 11. | Inspection Book. | Person-in-charge | Person-in-charge |
| 12. | Legal Services Register. | Child Welfare Officer or Case Worker | Person-in-charge |
| 13. | Library Register. | Teacher | Person-in-charge |
| 14. | Log Book. | Driver | Person-in-charge |
| 15. | Meals Register or Nutrition Diet File. | House Parent | Shift Incharge |
| 16. | Medical File of each child. | Staff Nurse | Person-in-charge |
| 17. | Meeting Book. | Child Welfare Officer or Case Worker | Person-in-charge |
| 18. | Minutes Register of Children's Committees. | Child Welfare Officer or Case Worker | Person-in-charge |
| 19. | Minutes Register of Management Committee. | Person-in-charge | Person-in-charge |
| 20. | Order Book. | Person-in-charge | Person-in-charge |
| 21. | Personal Belongings Register. | Child Welfare Officer or Case Worker | Person-in-charge |
| 22. | Production Register | Probation Officer or Child Welfare Officer or Case Worker | Person-in-charge |
| 23. | Staff Movement Register. | Incharge of Security | Person-in-charge |
| 24. | Stock Register. | Store keeper cum accountant | Person-in-charge |
| 25. | Visitor's Book | Security Guards | Main Gate's Keeper |

88. Openness and Transparency.-(1) All child care institutions shall be open to visitors with the permission of the Board or the Committee or the Person-in-charge, who may allow voluntary organisations, Social Workers, researchers, Doctors, academicians, volunteers, and such other persons as the Management Committee may permit or consider appropriate keeping in view the security, welfare and the interest of the children:

(2) Provided that, any persons interested in documentation or research for academic purposes shall seek permission from the District Child Protection Officer of the concerned district or the Director or Member-Secretary of the Karnataka State Integrated Child Protection Society, as the case may be.

(3) Where permission referred to in sub-rule (1) is given by the Person-in-charge of a child care institution established or maintained by the government, he shall make a monthly report of such permission including the orders received from the Board or the Committee to the District Child Protection Unit and the State Child Protection Society and also to the Board or the Committee, as the case may be.

(4) The Person-in-charge of the child care institution shall encourage active involvement of the local community and corporates in improving the condition in the institution or support the child.

(5) The Person-in-charge shall maintain a visitors' book to record the remarks of the visitors.

(6) The Person-in-charge shall take all steps to inform the visitors to maintain the dignity of children.

89. Release of a child from a Child Care Institution.-(1) A well conceived programme of pre-release and follow up of cases discharged from Children's Home, Special Homes and Place of safety shall be organised in all institutions as per the directions of the Board or the Committee or the Children's court. The individual care plan prepared for the child shall be followed in the pre release planning.

(2) The Person-in-charge of the child care institution shall maintain a roster of the cases of children to be released on the expiry of the period of stay as ordered by the Board or the Committee or the Children's Court.

(3) The timely information of the release of a child and of the exact date of release shall be given to the parent or guardian and the parent or guardian shall be called along with necessary documents and identity proofs which proves his relation with the child to the child care institution to take charge of the child on that date and if necessary, the actual expenses of the parent's or guardian's journey both ways and of the child's journey from the child care institution shall be paid to the parent or guardian by the Person-in-charge at the time of the release of the child.

(4) If the parent or guardian, as the case may be, fails to come and take charge of the child on the appointed date, the child shall be taken by the escort of the Child Care Institution or Special Juvenile Police Unit or Child line or fit person or any other recognised voluntary or non-governmental Organization; and in case of a girl, she shall be escorted by a female escort who shall hand over the custody to her parent or guardian.

(5) At the time of release or discharge, a child may be provided with a set of suitable clothing and essential toiletries.

(6) When the child attains the age of eighteen years, the child may be placed, if eligible, in an aftercare programme, subject to the consent of the child and the approval of the Board or the Committee or the Children's Court.

(7) In case the date of release falls on a Sunday or a public holiday, the child may be discharged on the preceding day with an entry to that effect being made in the register of discharge.

(8) The Person-in-charge of the child care institution may in appropriate cases, order the payment of subsistence money, at such rates as may be fixed from time to time, by the State Government, and the railway and/or road fares, as the case may be.

(9) Where a child has no place to go after release and requests for stay in the child care institution after the period of stay is over, the Person-in-charge may, subject to the approval of the Board or the Committee or the Children's Court, allow the child to stay till the time, some other suitable arrangement is made.

(10) Where a child is released from the Child Care Institution upon attaining eighteen years, and has no place to go, the child shall be provided with accommodation in Aftercare Institutions, or other such government facilities, till the time some other suitable arrangement is made for the child.

(11) In the event of a child leaving the child care institution without permission or committing an offence within the institution, the information shall be sent by the person in charge to the police and the family, if known; and the detailed report of circumstances along with the efforts to trace the child if the child is missing, shall be sent to the board or the committee or the children's court, as the case may be.

(12) Whenever a child is being handed over to a guardian or parent, the person taking custody of the child shall be guided and informed in writing about the specific needs of the child and the individual care plan regarding the best interest of the child and their responsibilities in Form 7 by the Committee or the Board or the Children's court.

90. Child suffering from disease requiring prolonged medical treatment in an approved place and transfer of a child who is mentally ill or addicted to alcohol or other drugs.- (1) The Board or the Committee or the Children's Court may send the child to a fit facility for such period as may be certified by a medical officer or mental health expert or on the recommendation of the Person-in-charge or Probation Officer or Child Welfare Officer or Case Worker, as necessary for proper treatment of the child who is mentally ill or addicted to alcohol or drugs or any other substance which lead to behavioral changes in a person for the remainder of the term for which he has to stay.

(2) When the child is cured of the disease or physical or mental health problems, the Board or the Committee or the Children's Court may, order the child to be placed back in the care from where the child was removed for treatment and

if the child no longer requires to be kept under further care, the Board or the Committee or the Children's Court may order him to be discharged.

(3) The State Government shall set up separate Integrated Rehabilitation Centres for child addicts on the basis of appropriate age groups.

91. Transfer or repatriation of Child.-(1) During the inquiry, if it is found that the child hails from a place outside the jurisdiction of the Board or the Committee, the Board or the Committee shall order the transfer of the child and send a copy of the order stating the reasons for and circumstances of such transfer to the State Government and District Child Protection Unit.

(2) The District Child Protection Unit shall accordingly:-

- i. send the information of transfer to the appropriate Board or the Committee having jurisdiction over the area where the child is ordered to be transferred by the Board or Committee; and
- ii. send a copy of the information to the Person-in-charge of the institution where the child is to be placed for care and protection at the time of the transfer order.

(3) The child shall be escorted at Government expenses to the place or person as specified in the order and a travelling allowance on a per day basis shall be paid as per the norms prescribed by the State government which has transferred the child. In case of intra-state transfer, the expenses incurred in transfer of the child shall be borne by the child care institution from where the child is being transferred.

(4) On such transfer, case file and records of the child including the details maintained on the designated portals developed by the State Government and Central Government shall be sent along with the child. A copy of the file shall be maintained in the child care institution and the Committee or Board from where the child is being transferred.

(5) Where the child is a national of another country, except the countries with which there is a special treaty on free movement of its citizens, on the

production of the child before the Board or the Committee, the Board or the Committee shall inform the District Magistrate immediately who shall initiate the process for repatriation of the child immediately through the appropriate Department of the State Government and in consultation with the Ministry of Home Affairs and Ministry of External Affairs, as the case may be. For the purpose of repatriation of a child to another country, the Board or the Committee or the State Government may take assistance from such recognised voluntary or non-government organisations which have the requisite expertise to provide such assistance.

(6) The District Magistrate shall prepare a list of children to be repatriated and furnish the same to the Monitoring Authority (National Commission for Protection of Child Rights or State Commission for Protection of Child Rights, as the case may be) as per the protocols.

(7) The District Magistrate shall follow up with the concerned Government or Private Agencies for getting the child repatriated.

(8) The Monitoring Authority may seek a status report from the Central Government or the State Government, as the case may be, about the children who are to be repatriated, on a quarterly basis.

(9) During the period pending the finalization of the repatriation, the child shall be kept in a Child Care Institution.

(10) The expenses for the repatriation of the child to another country shall be borne by the State Government concerned.

(11) Upon the passing of a transfer order by the concerned authority, the actual transfer of a child shall take place within a maximum period of fifteen days in case of inter-district transfer, within one month where the transfer is inter-state, and within three months where the transfer is inter-country.

(12) Where the child is being escorted by any police personnel, the police shall be in plain clothes and not in uniform and police vehicles shall not be utilised, as far as possible.

(13) During the inquiry, if it is found that the child hails from a place outside the jurisdiction of the Board or the Committee, the Board or the Committee shall order the transfer of the child using template in Form 45A and send a copy of the order stating the reasons for and circumstances of such transfer to the District Child Protection Unit and the State Government.

(14) On receiving the child, the Person in Charge of the Child Care Institution or the District Child Protection Unit or the Committee or the Board in the receiving district shall acknowledge the receipt of the child, the child's belongings and documents in Form 45B and send it to the Committee or Board from where the child was transferred.

92. Restoration and Follow-up for children in conflict with law- (1) The Board or the Children's Court may make an order in Form 44 for the release of the child placed in a Child Care Institution after hearing the child and his parents or guardian, and after satisfying itself as to the identity of the persons claiming to be the parents or the guardian.

(2) While passing an order for restoration of the child, the Board or the Children's Court shall take into account the reports of the Probation Officer, or the designated officer of the District Child Protection Unit or nongovernmental organisation, including report of a home visit prepared on the direction of the Board or the Children's Court in appropriate cases, and any other relevant document or report brought before the Board or the Children's Court.

(3) When a child expresses his unwillingness to be restored back to the family, the Board or the Children's Court shall interact with the child to find out the reasons for the same and record the same and the child shall not be coerced or persuaded to go back to the family. Where the child refuses to go back to the family or the family refuses to take back the child due to reasons of financial constraints, the Board shall explore all possibilities of providing all Central and State sponsored schemes including sponsorship under section 45 of the Act, Juvenile Justice Fund

under section 105 of the Act, Corporate Social Responsibility funds or any other scheme to strengthen the family financially in the best interest of the child.

Explanation: For the purpose of this sub-rule, financial capability of the family may be ascertained through any income documents such as bank statement of past one year or Income Tax returns of the past three years or property registration of the family or income certificate, BPL card, PDS card, MGNREGA card, whichever is available. Where documentation is not available, the SIR can be used to ascertain the financial capacity of the family. The District Magistrate may be directed to enable the family to acquire the necessary documentation.

(4) The child would also not be restored back to the family where the parents or guardians refuse to accept the child back and in all such cases, the Board or the Children's Court shall provide alternative means for rehabilitation.

(5) The child may not be restored back to the family where the social investigation report prepared by the Probation officer or designated officer of the District Child Protection Unit or the Child Welfare Officer or the nongovernmental organisation establishes that restoration to family may not be in the interest of the child.

(6) The order of restoration shall include an individual care plan prepared by the Probation Officer or the designated officer of the District Child Protection Unit or the non-governmental organisation.

(7) The Board or the Children's Court, while directing restoration of the child, may pass order for an escort in Form 45, where necessary.

(8) Besides police, the Board may seek collaboration with the District Child Protection Unit or non-governmental organisations to accompany the child back to the family for restoration.

(9) In case of girls, the child shall necessarily be accompanied by female escorts.

(10) The copy of the restoration order along with a copy of the order for escort shall be forwarded by the Board or the Children's Court to the District Child Protection Unit which shall provide funds for the restoration of the child, including travel and other incidental expenses.

(11) A follow-up plan shall be prepared as part of the individual care plan by the Child Welfare Officer or the Case Worker or the social worker or the non-governmental organisation.

93. Restoration and Follow-up for children in need of care and protection-(1) The Committee may make an order in Form 44 for the release of the child placed in a Child Care Institution after hearing the child and their parents or guardian, and after satisfying itself as to the identity of the persons claiming to be the parents or the guardian.

(2) While passing an order for restoration of the child, the Committee shall take into account the reports of the social worker or Child Welfare Officer or Case Worker or designated officer of the District Child Protection Unit or non-governmental organisation, including report of a home visit prepared on the direction of the Committee in appropriate cases, and any other relevant document or report brought before the Committee.

(3) When a child expresses their unwillingness to be restored back to the family, the Committee shall interact with the child to find out the reasons for the same and record the same and the child shall not be coerced or persuaded to go back to the family.

(4) Where the child refuses to go back to the family or the family refuses to take back the child due to reasons of financial constraints, the District Magistrate shall explore all possibilities of providing all Central and State sponsored schemes including sponsorship under section 45 of the Act, Juvenile Justice Fund under section 105 of the Act, Corporate Social Responsibility funds or any other scheme to strengthen the family financially in the best interest of the child.

Explanation: For the purpose of this sub-rule, financial capability of the family may be ascertained through any income documents such as bank statement of past one year or Income Tax returns of the past three years or property registration of the family or income certificate, BPL card, PDS card, MGNREGA card, whichever is available. Where documentation is not available, the SIR can be used to ascertain the financial capacity of the family. The District Magistrate shall also enable the family to acquire the necessary documentation.

(5) The child would also not be restored back to the family where the parents or guardians refuse to accept the child back and in all such cases, the Committee may provide alternative means for rehabilitation.

(6) The child may not be restored back to the family where the social investigation report prepared by the Child Welfare Officer or the social worker or the Case Worker or the non-governmental organisation or designated officer by the District Child Protection Unit or management of Child Care Institution, as the case may be, establishes that restoration to family may not be in the interest of the child.

(7) The District Child Protection Unit shall submit the report regarding restoration plan for eligible children and its implementation and the District Magistrate may facilitate restoration of children and intervene wherever required.

(8) The order of restoration shall include an individual care plan prepared by the designated officer of the District Child Protection Unit or the non-governmental organisation.

(9) The Committee, while directing restoration of the child, may pass an order for an escort in Form 45, where necessary.

(10) Besides police, the Committee may seek collaboration with the District Child Protection Unit or non-governmental organisations to accompany the child back to the family for restoration. In case of girls, the child shall necessarily be accompanied by female escorts.

(11) The copy of the restoration order along with a copy of the order for escort shall be forwarded by the Committee to the District Child Protection Unit which shall provide funds for the restoration of the child, including travel and other incidental expenses.

(12) Where the child cannot be restored to parents or has not been declared legally free for adoption, all efforts must be made to restore the child with their guardian or relatives, if they are deemed to be fit by the Committee.

(13) The District Magistrate through the District Child Protection Unit shall explore all possibilities to provide benefit under all Central and State sponsored

schemes including Sponsorship under section 45 of the Act and the Juvenile Justice Fund under section 105 of the Act.

(14) A follow-up plan shall be prepared as part of the individual care plan by the Child Welfare Officer or the Case Worker or the social worker or the non-governmental organisation.

94. Juvenile Justice Fund.-(1) The State Government shall create a fund called the Juvenile Justice Fund for the welfare and rehabilitation of the children dealt with under the Act and these rules.

(2) The State Government shall make adequate budgetary allocation in non-lapsable form towards the Fund.

(3) The Fund may receive donations, voluntary contributions, subscriptions or funds under Corporate Social Responsibility, whether or not for any specific purpose, and shall be directly credited to the Fund.

(4) The Fund may be utilised by the State Government for the following purposes, namely:-

- i. Establishment and administration of Child Care Institutions;
- ii. Supporting innovative programmes for the welfare of the children in the Child Care Institutions;
- iii. Strengthening of legal assistance and support;
- iv. Providing entrepreneurial support, skill development training or vocational training;
- v. Providing lump-sum subsistence support to children leaving Child Care Institution on attaining the age of eighteen years;
- vi. Providing aftercare facilities and entrepreneurship fund for providing capital and infrastructure to persons who have crossed the age of eighteen within institutionalized care, for starting up small businesses to support reintegration into mainstream life;
- vii. Providing support for foster care, sponsorship and aftercare;
- viii. Rehabilitation of children in special circumstances including children released from militant groups and adult groups;

- ix. Meeting the expenses of travel for trial and restoration of children, including the expenses of the escorts including police;
- x. Creating child friendly police stations, Boards, courts and Committees;
- xi. Capacity building for parents and caregivers to understand needs of children;
- xii. Awareness generation programmes on child rights and offences against children;
- xiii. Creating community-based child protection programmes to identify and report offences against children;
- xiv. Providing specialised professional services, Counsellors, translators, interpreters, Special Educators, Social Workers, mental health workers, vocational trainers etc. for the children covered under the Act;
- xv. Providing recreational facilities and extra-curricular activities for the children covered under the Act including those in Child Care Institutions;
- xvi. Palliative care for children affected with cancer or any terminal or life-threatening disease or life-saving medical treatment and stay facilities for their parents;
- xvii. Payment of compensation to children who have been wrongly incarcerated in jails; and
- xviii. Any other programme or activity to support the holistic growth, development and well-being and best interests of children covered under the Act and the rules.

(5) The Fund shall be maintained and administered by the Department of the State Government dealing with the implementation of the Act through the Directorate of Child Protection.

(6) The Directorate of Child Protection, with the approval of the State Government shall adopt financial rules to govern the utilisation of the Fund.

(7) The District Magistrate may submit a proposal to the State for seeking funds from the State Juvenile Justice Fund for implementing projects for children in the District regarding any of the activities mentioned under this rule.

(8) The fund shall be audited by the State Audit and Accounts department and the annual audit report shall be submitted to the State Government along with compliance report.

95.State Child Protection Society.-(1) The State Child Protection Society shall only comprise of the officials from the State Government and may be assisted by a sub-committee which may comprise of experts from the child rights sector. The State Child Protection Society shall perform the following functions namely:-

- i. Overseeing the implementation of the Act and these rules in the State and supervision and monitoring of agencies and institutions under the Act;
- ii. Addressing road-blocks, issues, complaints received regarding care and protection of children;
- iii. Ensure that all institutions set up under the Act and these rules are in place and performing their assigned duties;
- iv. Reviewing reports received from various District Magistrates on the functioning of institutions in various districts and take action to facilitate the protection of children wherever necessary and monitoring the functioning of the District Child Protection Units;
- v. Develop programmes for foster care, sponsorship and after- care;
- vi. Inquire into, seek reports and make recommendations in cases of death or suicide in Child Care Institutions and under other institutional care;
- vii. Ensure inter-department coordination and liaising with the relevant departments of the State and Central Governments and State Child Protection Societies of other States or Union Territories;
- viii. Networking and coordinating with civil society organizations working for the effective implementation of the Act and these rules;
- ix. Maintaining a state level database of all children in institutional care and family based non-institutional care and updating it on a quarterly basis;
- x. Maintaining a database of Child Care Institutions, Specialized Adoption Agencies, open shelters, fit persons and fit facilities, registered foster parents, sponsors, aftercare organizations and other institutions at the State level;
- xi. Maintaining a database of medical and counseling centres, de- addiction centres, hospitals, open schools, education facilities, apprenticeship and vocational training programmes and centres, recreational facilities such as

performing arts, fine arts and facilities for children with special needs and other such facilities at the State level;

- xii. Monitoring and administering the Fund set up by the State Government including disbursal of funds to the District Child Protection Units, Special Juvenile Police Units and police stations, as the case may be;
- xiii. Maintaining separate accounts for all funds received by the State Child Protection Society such as the Juvenile Justice Fund, funds under Schemes of Central and State Government and getting the same audited;
- xiv. Generate awareness among public on various aspects of the Act and the rules made there under specifically the existing institutional framework, rehabilitation measures, penalties, procedures for better protection of children;
- xv. Organise and conduct programmes for the implementation of the Act including training and capacity building of stakeholders;
- xvi. Commission research programmes on child protection;
- xvii. Co-ordinate with State Legal Services Authority and law schools; and
- xviii. Any other function for the effective implementation of the Act and these rules.

(3) The Member- Secretary of the State Child Protection Society shall be the Nodal Officer in the State for the implementation of the Act and these rules.

96.State Adoption resource Agency.-(1) The State Government shall set up a State Adoption Resource Agency for dealing with adoptions and related matters in the State under the guidance of the Authority, as per the provisions of section 67 of the Act and the Adoption Regulations.

(2) The Governing Body of the State Adoption Resource Agency shall be headed by the Principal Secretary or the Secretary of the Department of Women and Child of the Government of Karnataka.

(3)The Director of the Directorate of Child Protection under the Government of Karnataka shall be the Member Secretary and Chief Executive Officer of the State Adoption Resource Agency.

(4) The functions of the State Adoption Resource Agency shall be as specified in the Adoption Regulations.

97.The District Magistrate.- The District Magistrate shall function as the head of child protection services in the district and shall perform the following functions, namely:-

- i. ensure inter-departmental coordination and liaise with the relevant departments of the State Government, State Child Protection Society of the State and other District Magistrates in the State for all child protection related services;
- ii. in matters of pendency of cases, call for any information from all the stakeholders including the Board and the Committee as and when required and in the best interest;
- iii. act as a grievance redressal authority to entertain any grievance arising out of the functioning of the Committee;
- iv. ensure that a suggestion-cum-grievance box is kept in the office of the Committee and the box is checked once a month either in person or by a nominee of the District Magistrate;
- v. provide specific recommendations to the State Government in the case of new registration of child care institutions, new registrations of group foster care facilities and renewal or cancellation of registration of existing child care institutions and group foster care facilities;
- vi. ensure that annual inspections are conducted for all child care institutions and group foster care facilities registered under the Act;
- vii. draw up a district plan for sponsorship and generate resources from public and private contributions;
- viii. facilitate aftercare services and programs for children leaving Child Care institutions;
- ix. Conduct quarterly reviews of all the child protection services in the district including child care institutions, sponsorship, foster care, adoption and aftercare;
- x. Ensure action is taken on the reports of the Inspection Committees;
- xi. Conduct quarterly meetings to review the functioning of the Committee;

- xii. Conduct performance appraisal of the Chairperson and members of the Committee;
- xiii. Issue adoption orders for both in-country and inter-country adoptions for children from the district placed in adoption under the Act; and
- xiv. Strengthen preventive mechanisms for child protection by constituting the Child Protection Committees at Block, Gram Panchayat and Ward level within the district and supporting their functioning.

(2) The District Magistrate shall be the Nodal Officer in the district for the implementation of the Act and the rules, and may designate any Additional District Magistrate of the District to discharge the duties under the Act.

(3) The District Magistrate shall hold quarterly review meetings with relevant stakeholders including the Police Department, the Education Department, the Health Department, the District Legal Services Authority, to discuss issues related to children in the district.

98.District Child Protection Unit.- (1)The District Child Protection Unit shall perform following functions, namely:-

- i. maintain report of quarterly information sent by the Board about children in conflict with law produced before the Board and the quarterly report sent by the Committee;
- ii. arrange for individual or group counseling and community service for children;
- iii. conduct follow up of the individual care plan prepared on the direction of the Children's Court for children in the age group of sixteen to eighteen years found to be in conflict with law for committing heinous offence;
- iv. conduct review of the child placed in the place of safety every year and forward the report to the Children's Court;
- v. maintain a list of persons who can be engaged as monitoring authorities and send the list of such persons to the Children's Court along with bi-annual updates;
- vi. maintain record of runaway children from Child Care Institutions;

- vii. identify families at risk and children in need of care and protection;
- viii. assess the number of children in difficult circumstances and create district-specific databases to monitor trends and patterns of children in difficult circumstances;
- ix. periodic and regular mapping of all child related services at district for creating a resource directory and making the information available to the Committees and Boards from time to time;
- x. facilitate the implementation of non-institutional programmes including sponsorship, foster care and aftercare as per the orders of the Board or the Committee or the Children's Court;
- xi. facilitate transfer of children at all levels for their restoration to their families or placing the child in long or short term rehabilitation through, adoption, foster care, sponsorship, or institutionalization, including provision of necessary funds to the persons escorting the child for restoration as per the norms prescribed by the State Government;
- xii. facilitate inter-departmental coordination and liaison with the relevant departments of the State Government and State Child Protection Society of the State and other District Child Protection Units in the State;
- xiii. network and coordinate with civil society organizations working under the Act;
- xiv. inquire into, seek reports and take action in cases of death or suicide in child care institutions and under other institutional care and submit the reports to the State Child Protection Society;
- xv. look into the complaints and suggestions of the children as contained in the children's suggestion box and take appropriate action;
- xvi. be represented on the Management Committees within the Child Care Institutions;
- xvii. maintain a district level database of missing children in institutional care and uploading the same on designated portal

and of children availing the facility of Open Shelter and of children placed in foster care;

- xviii. maintain a database of child care institutions, specialized adoption agencies, open shelter, fit persons and fit facilities, registered foster parents, aftercare organizations and institutions etc. at the district level and forward the same to the Boards, the Committees, the Children's Courts and the State Child Protection Society, as the case may be;
- xix. maintain a database of medical and counseling centres, de-addiction centres, hospitals, open schools, education facilities, apprenticeship and vocational training programmes and centres, recreational facilities such as performing arts, fine arts and facilities for children with special needs and other such facilities at the district level and forward the same to the Boards, the Committees, the Children's Courts and the State Child Protection Society;
- xx. maintain a database of Lawyers, para-legal volunteers, Support Persons, special educators, mental health experts, translators, interpreters, Counselors, Psychologists or Psycho-social workers or other experts who have experience of working with children in difficult circumstances at the district level and forward the same to the Boards and the Committees and the Children's Court and the State Child Protection Society;
- xxi. generate awareness and organise and conduct programmes for the implementation of the Act including training and capacity building of stakeholders under the Act;
- xxii. organise quarterly meeting with all stakeholders at district level to review the progress and implementation of the Act;
- xxiii. submit a monthly report to the State Child Protection Society and the District Magistrate;
- xxiv. notify the State Government about a vacancy in the Board or the Committee six months before such vacancy arises and within fifteen days when such vacancy arises due to resignation, death, or illness;

- xxv. review reports submitted by Inspection Committees and resolve the issues raised through coordination among the stakeholders;
- xxvi. provide secretarial staff to the Committees and the Boards;
- xxvii. all other functions necessary for effective implementation of the Act including liaising with community and corporates for improving the functioning of Child Care Institutions;
- xxviii. prepare a district child protection plan every year and submit it to the State Child Protection Society;
- xxix. coordinate with child line service in the district;
- xxx. ensure that rights of the child are displayed in schools, hospitals, government buildings and other such places which are frequented by children;
- xxxi. strengthen the preventive mechanism for child protection by constituting the Child Protection Committees at Block, Gram Panchayat and Ward level within the district and supporting their functioning;
- xxxii. facilitate the linkage of all Child Care Institutions for children in need of care and protection with Specialised Adoption Agencies in the same or other districts in order to enable adoptions;
- xxxiii. discharge all other functions specified for the District Child Protection Unit in the Adoption Regulations; and
- xxxiv. engage Social Workers for preparing social investigation report or individual care plan of the child, child study report, tracing of family, and performing any other functions.

(2) The District Child Protection Officer shall assist and support the District Magistrate in the implementation of the Act and these rules.

99.Special Juvenile Police Unit.-(1) The Special Juvenile Police Unit in each district and city shall be constituted by the State Government to co- ordinate all functions of police related to children and an officer not below the rank of Deputy Superintendent of Police shall be the Head of the Unit and designated as the Senior Child Welfare Police Officer. The Unit shall comprise a Deputy Superintendent of Police who shall be the Head of the Unit who shall be designated as the Senior Child Welfare Police Officer, one Inspector, two Sub-Inspectors of

Police of whom one shall be a female and necessary police constables designated as Child Welfare Police Officers. One police personnel with knowledge of computers shall be deputed to the Unit and designated as Assistant to the Senior Child Welfare Police Officer and two Social Workers, one of whom shall be a woman. The officers deputed shall have adequate training and orientation to tackle the issues relating to children in conflict with law and to protect the vulnerable children.

(2) At every police station three personnel, one Police Sub-Inspector and two other police officers one of whom shall compulsorily be a woman shall be designated as Child Welfare Police Officers. All child related cases at the police station shall be handled by the officers designated as Child Welfare Police Officers. All interaction with the child at the police station shall only be by the Child Welfare Police Officers or Social Workers of the Special Juvenile Police Unit.

(3) The Special Juvenile Police Unit shall have a separate building or room with a separate entrance. It shall not look like a jail and shall not have lockups. Such a room shall be bright and attractive to the children and shall be well lit and airy. Adequate security shall be ensured so that no unwanted person can enter such room and disturb the child. The room shall have a well monitored CCTV camera.

(4) The provision for physical infrastructure in the Special Juvenile Police Unit may be as under,-

- i. Office of the Special Juvenile Police Unit – 1
- ii. Meeting/Conference Room - 1
- iii. Child friendly corner with recreational facility and Conveniences - 1
- iv. Free Legal Services Centre -1
- v. Counselling and Guidance Unit -1
- vi. Waiting Hall for the children and their parents/ Guardians -1

(5) The State Government may make provision for the following logistical and Information Technology requirements in the Special Juvenile Police Unit, namely:-

- i. Computer set including UPS and printers.
- ii. Photocopier with scanner.

- iii. Telephone with Internet Broadband connection.
- iv. Fax machine.
- v. Furniture i.e. Chairs, tables, file cabinets, etc. as per requirement.

(6) Every Special Juvenile Police Unit shall be provided with two qualified Social Workers with graduation in Community Social Work or Psychiatric Social Work or having experience of at least five years in working with or on matters relating to children who shall constitute as the Juvenile Assessment team and assist the Special Juvenile Police Unit in the assessment and screening of children, and in interviewing children for gathering information under supervision of the officer responsible for recording the statement. They shall,-

- i. ensure that cases relating to children are handled by the officers designated as Child Welfare Police Officers;
- ii. assist Child Welfare Police Officers at the police station in handling cases relating to children as per the Act and either go to the police station or ask for the child or children to be brought to the Special Juvenile Police Unit;
- iii. follow up cases diverted at the police station or Special Juvenile Police Unit and submit report to Senior Child Welfare Police Officer;
- iv. assist and ensure that relevant documents are duly filled and submitted when children are produced before the Committee or Board;
- v. follow up on cases before the Committee or Board and ensure that police procedures are completed and documents submitted within the stipulated time;
- vi. visit police stations and check the register for cases relating to children maintained at the police station;
- vii. ensure that a master register is maintained at the Special Juvenile Police Unit on cases relating to children handled everyday at each of the police stations in the district or zone;

- viii. consolidate report of cases relating to children handled at the zone or district and submit the report to the senior Child Welfare Officer of the Special Juvenile Police Unit;
- ix. facilitate monthly review of the Special Juvenile Police Unit with the senior Child Welfare Police Officer, and Child Welfare Police Officers and the Committee, or Board, and the District Child Protection Unit;
- x. undertake mapping of cases relating to children to identify vulnerable areas and issues. Such analysis shall be presented at the monthly review meetings;
- xi. assist Child Welfare Police Officers at the police station in organizing community outreach programs – ‘Samudhaya Samparka Sabha’ and ‘Therada Mane’ on child protection issues in their respective jurisdiction;
- xii. keep track of transfers, retirement of Child Welfare Officers and bring it to the notice of the senior Child Welfare Police Officer;
- xiii. organise refresher programs for officers designated as Child Welfare Police Officers;
- xiv. report to the senior Child Welfare Police Officer on a daily basis on work to be done and work completed; and
- xv. the non-governmental organisation supporting the Social Worker shall make alternate arrangements when staff attached to the Special Juvenile Police Unit are on leave or involved in other work.

(7) Every Special Juvenile Police Units shall also be provided with,-

- i. counselor - at least two per unit;
- ii. para Legal Volunteers or Legal Services Counsel - at least two per unit;
- iii. data Entry Operator - at least one per unit;
- iv. field Assistant - at least 3 per unit; and
- v. multi-tasking staff - at least 2 per unit.

(8) The Home Department shall create the positions and appoint the personnel required.

(9) The Special Juvenile Police Unit shall meet on a quarterly basis and report of such meetings shall be forwarded to the Nodal Officer and copy shall be sent to the concerned District Child Protection Unit, Crime Investigation Department and State Child Protection Society. The Nodal Officer shall hold quarterly review of the Special Juvenile Police Unit and shall issue necessary directions for their effective functioning.

(10) The Central Government shall constitute a Special Juvenile Police Unit for the Railway Protection Force or Government Railway Police at every railway station as per requirement and where a Special Juvenile Police Unit cannot be set up, at least one Railway Protection Force or Government Railway Police Officer, not below the rank of Assistant Sub-Inspector shall be designated as the Child Welfare Police Officer.

(11) The Child Welfare Police Officers and other police officers of the Special Juvenile Police Unit shall be given appropriate training and orientation to deal with matters concerning children. Police officers not exceeding forty-five years of age and with aptitude and sensitivity shall be designated as Child Welfare Police Officer.

(12) The transfer and posting of the designated Child Welfare Police Officers may be within the Special Juvenile Police Units of other police stations or the district unit. The Officer heading the Special Juvenile Police Unit shall not be transferred before three years except in case of promotion. If Child Welfare Police Officers and other police officers of Special Juvenile Police Unit are transferred outside the district, they shall be placed with the Special Juvenile Police Unit as far as possible.

(13) The police officer interacting with children shall be as far as possible in plain clothes and not in uniform and for dealing with girl child, woman police personnel shall be engaged:

Provided that, an officer recording the statement of a child under sub-section (1) of section 24 of the Protection of Children from Sexual Offences Act, 2012 (Central Act 32 of 2012) shall not be in uniform.

(14) The Special Juvenile Police Unit shall work in close coordination with the District Child Protection Unit, the Board and the Committee in the matters concerning the welfare of children within its jurisdiction.

(15) The Special Juvenile Police Unit may coordinate with the District Legal Services Authority to provide legal aid to children.

(16) Every police station shall as and when required seek the assistance of the Para Legal Volunteers or Legal Service Counsel at the Special Juvenile Police Unit when handling cases relating to children.

(17) The Special Juvenile Police Unit shall take cognizance of adult perpetrators of crimes against children and ensure that they are, without delay, apprehended under the appropriate provisions of the law and for this purpose the district level units shall maintain liaison with other units of police stations.

(18) A Nodal Officer from police not below the rank of Inspector General of Police shall be designated to coordinate, review and upgrade the role of police on all issues pertaining to care and protection of children under the Act and the rules.

(19) The officers of the Special Juvenile Police Unit shall be responsible for making all the police stations child friendly.

(20) The Child Welfare Police Officers shall be paid advance by the Home Department in case of conducting rescue operation or for repatriation of the child to the family:

Provision for each station to meet the child's immediate expense shall also be provided by the Home Department.

(21) The Special Juvenile Police Unit shall seek assistance from voluntary or non- governmental organizations identified by the State Government for the purpose of assisting Special Juvenile Police Unit and local police stations at the time of apprehension, in preparation of necessary reports, for taking charge of children until production and at the time of production before the Board as per sub-rule (8) of rule 8. The police shall work out a mechanism to enlist volunteers from non-governmental organisations and students from academic institutions on field projects to function as Social Workers in

helping a child in the Special Juvenile Police Unit. They shall provide a supportive network in every police station to help the child welfare officer to handle a child in conflict with law or a child in need of care and protection including a victim child, and such other issues relating to missing children.

(22) The Special Juvenile Police Unit shall undertake programmes for awareness in the community and schools about child care, protection, abuse, neglect, addiction, vulnerability, high risk behaviour, etc., with the aim to encourage reporting of such incidents and prevention.

(23) The Special Juvenile Police Unit at the district level shall coordinate and function as a watchdog for providing legal protection against all kinds of cruelty, abuse and exploitation of the child.

100. Selection Committee and its composition.- (1) The State Government shall constitute a Selection Committee for a period of three years by notification in the Official Gazette consisting of the following members, namely:-

- i. a retired judge of High Court as the Chairperson to be appointed in consultation with the Chief Justice of the High Court of Karnataka;
- ii. one representative from the Department implementing the Act not below the rank of Director as the ex-officio Member Secretary, or their nominee not below the rank of joint Director;
- iii. two representatives from two different reputed non- governmental organisations respectively working in the area of child rights or child protection for a minimum period of seven years but not running or managing any children's institution;
- iv. two representatives from academic bodies or universities preferably from the faculty of social work, psychology, sociology, child development, health, education, law and with special knowledge or experience of working on children's issues for a minimum period of seven years; and
- v. a representative of the State Commission for Protection of Child Rights;

Provided that, the members of the Committee represent plurality in terms of gender, and the members are able to give the due time and attention to the work of the Committee.

(2) The Committee shall continue for a maximum period of three months after the completion of its tenure by which time a new Committee shall be constituted.

(3) If a vacancy arises in the Selection Committee, the Member Secretary shall intimate the Secretary of the Department of Women and Child development and Disabled and Senior Citizens Empowerment implementing the Act who shall take steps to fill the vacancy for the remaining period at the earliest, and not later than two months of the vacancy arising.

(4) The quorum for the meeting of the Selection Committee shall be not less than four Members, including the Chairperson and the Member Secretary:

Provided that, the same members should be present for the Selection Committee proceedings throughout the process of selecting members from one District.

(5) The Member Secretary of the Selection Committee shall convene the meetings of the Selection Committee at such times as may be necessary for facilitating and carrying out the functions of the Selection Committee.

The Member Secretary shall maintain the minutes of the selection process and all other meetings of the Selection Committee.

(6) The Chairperson and non-official members of the Selection Committee shall be paid such sitting fees and travel allowances as may be fixed by the State Government from time to time.

(7) All communications relating to the working and discharge of the functions of the Selection Committee shall be addressed to the Office of the Member Secretary, who shall place the same before the Selection Committee.

(8) All records relating to selection shall be placed on the website of the Department of Women and Child development and Disabled and Senior Citizens Empowerment.

101. Selection of Chairperson and Members of the Committee or Board.-

(1) The Member Secretary of the Selection Committee shall initiate the process of filling up a vacancy six months prior to the incumbent demitting office:

Provided that, if a vacancy arises on account of resignation or death of the Chairperson of the Committee or a Member of the Board or Committee the Member Secretary of the Selection Committee shall immediately initiate the process for filling up such vacancy.

(2) For selection of members of the Board or Chairperson and members of the Committee, the State Government through the Member Secretary of the Selection Committee shall call for applications through public advertisement in the local newspaper in the vernacular language and in English, and in the national newspapers in English and on the official website of the Department of Women and Child development and Disabled and Senior Citizens Empowerment implementing the Act.

(3) The Member Secretary shall screen all the applications received and place the applications which fulfill the basic eligibility requirements before the Selection Committee. The screening shall be done according to the qualification criteria laid down for the Social Worker members, with preference given to those applications which demonstrate a higher level of direct experience with children, with the ten best applications being forwarded to the Selection Committee.

(4) The Selection Committee shall evaluate the candidates on the basis of qualifications, experience of working with children and personal interaction with the candidate, a written test and the performance appraisal submitted by the State Government if the candidate has already served as a member of the Board or the Committee in the past.

(5) A member selected by the Selection Committee shall not.-

- i. be holding such full-time occupation that may not allow the person to give necessary time and attention to the work of the Board or the Committee as per the Act and these rules;
- ii. be associated with any Child Care Institution, directly or indirectly, during their tenure as a member of the Board or Committee or have any other conflict of interest;
- iii. hold any office in any political party during their tenure,
- iv. be insolvent, or
- v. be in a consanguineous or conjugal relationship with any other member on the Board or the Committee, as the case may be.

(6) Where the Selection Committee is required to consider an application for renewal of tenure of Social Worker members of the Board or the members of Committee as the case may be, it shall evaluate the application on the basis of the following criteria, namely:-

- i. Regular performance appraisals of the member carried out by the District Judge or District Magistrate quarterly as per a specified format by the state child protection society, and a report of these appraisals shall be made available to the Chairperson and Members of the Selection Committee by the Member Secretary;
- ii. Complaints if any, received and addressed by the Selection Committee against the person seeking an extension of tenure and objections received against persons seeking to be appointed for the first time in advance of the interview, by listing the names and details of all candidates who have been found eligible for interview on the official website of the department responsible for implementing the Act at least one week prior to the date of interview by the Selection Committee; and
- iii. Interaction with such applicant.

(7) The Selection Committee shall, on the basis of the evaluation procedure and criteria, select and recommend a panel of names in order of merit to the State Government for appointment as Members of the Board or Chairperson or Members of the Committee as the case may be.

(8) In recommending a panel of names, the Selection Committee shall prepare separate panels for the position of Chairperson of the Committee, Members of the Committee and Members of the Board respectively.

(9) The Selection Committee shall prepare a three member panel for each position, which shall be valid for a period of three years..

(10) The list of finalized names shall be duly signed by all members of the Selection Committee present at the time of selection and the Member Secretary of the Selection Committee shall forward the finalized list to the State Government for appointment. The State Government shall constitute one or more Boards or Committees, as the case may be, in each district through notification in the Official Gazette within a period of two months of receipt of recommendations of the Selection Committee.

(11) Names on the panel shall be valid for consideration for a period of one year which may be extended by six months where a new panel has not yet been constituted, in order to fill in vacancies which may arise during such period either due to non-reporting of the selected persons within a stipulated time from the date of appointment, or otherwise during the tenure of the Board or Committee. Records of rejected applications shall be kept for a period of six months after the notification of appointments and shall be destroyed thereafter.

(12) If a vacancy in the Board or Committee arises, the District Child Protection Unit shall inform the State Government for filling up such vacancy.

(13) The State Government shall fill the vacancies on the basis of the panel of names recommended by the Selection Committee within a period of three months from receiving such information from the District Child Protection Unit.

(14) If it is brought to the knowledge of the Selection Committee that any member, of the Board or Committee, so appointed, has misrepresented their educational qualification and or experience at the time of selection, the Government shall, after due enquiry conducted by the Selection Committee and on establishment of such fact, declare the appointment of such member null and void and will proceed to prosecute such member under appropriate law for misrepresentation and shall recover the honorarium paid, if any, from such member.

102.Training of Personnel dealing with Children.-(1) The State Government or the District Administration shall provide training to personnel appointed under the Act and these rules and each category of staff, keeping in view their statutory responsibilities and specific jobs requirements.

(2) The training programme shall include:

- i. introduction of the Act and the rules made there under and other relevant laws;
- ii. orientation on child welfare, holistic child development, care, protection and child rights;
- iii. induction training of the newly recruited personnel;
- iv. refresher training courses and skill enhancement programmes, documentation and sharing of good practices; and
- v. conferences, seminars and workshops.

(3) The following categories of personnel shall have to undergo training for minimum period of fifteen days, namely:-

| Sl. No. | Personnel |
|----------------|--|
| 1. | Staff of Children's Court and Principal Magistrates of Juvenile Justice Boards |
| 2. | Members of Juvenile Justice Boards |
| 3. | Chairpersons and Members of Child Welfare Committees |

| | |
|----|--|
| 4. | Child Welfare Police Officers and other police officers of Special Juvenile Police Units |
| 5. | Programme Managers and Programme Officers of State Child Protection Societies and State Adoption Resource Agency |
| 6. | Staff of State Adoption Resource Agency |
| 7. | Legal-cum-Probation Officers under District Child Protection Units and Probation Officers in Child Care Institutions |
| 8. | Staff of District Child Protection Units and State Child Protection Society |
| 9. | Persons-in-charge of Child Care Institutions (including Open Shelters) |

(4) The State Government shall also provide training to other personnel such as District Magistrates, Social Workers, Child Welfare Officers, Case Workers, rehabilitation cum placement Officers, care givers, house fathers and house mothers of Child Care Institutions, security personnel and other staff of Child Care Institutions, Frontline Workers, bridge course educators, outreach workers and community volunteers, Social Workers of Specialised Adoption Agencies, Directors or In charge of Specialised Adoption Agencies, Chairperson and members of the State Commission on Protection of Child Rights, chief functionaries of organisations granted registration for running Child Care Institutions under the Act, mental health practitioners, Psychologists, Psychiatrists, Psychiatric Social Workers, public prosecutors, legal services lawyers, members of Committees or societies constituted under the Act and the rules there under.

(5) The State Government, while organizing training programmes for the stakeholders at State or District level, shall ensure that training modules and training manuals to be developed by State Child Protection Society are in consultation with National Institute of Public Cooperation and Child Development or Institutions having requisite expertise in order to maintain uniformity in the training process throughout the country.

(6) The Judicial Academy in the State may develop training modules and training manuals for the training of Principal Magistrates including on child psychology, use of child friendly procedures and ensuring child friendly

environment, care, protection and rehabilitation of children and organise such training programmes at the State level.

(7) The Police Academy in the State may develop training modules and training manuals in consultation with National Police Academy for the training of police and Child Welfare Police Officers including on child psychology, use of child friendly procedures and ensuring child friendly environment, care, protection and rehabilitation of children and organise such training programmes at the State level.

(8) The Department of Prosecutions in the State may develop a training module and training manual for the training of prosecutors on offences against children, procedures under the Act, child psychology, use of child friendly procedures for child victims, and children in conflict with law, ensuring child friendly environment, and organise such training programmes at the State level.

(9) The State Legal Services Authority shall organise training programmes for legal service lawyers and para legal volunteers.

(10) The State Child Protection Society in consultation with institutions with requisite expertise shall organise training programmes for Probation Officers, for Person-in-charge, Child Welfare Officers, Case Workers, Probation Officers and functionaries of the District Child Protection Unit, Child Care Institutions and Special Juvenile Police Unit.

(11) The State Child Protection Society, in consultation with the State Administrative Training Institute, shall develop training modules for training of District Magistrates on their roles as per this Act and other related laws for children applicable in the State, including on performance appraisal and grievance redressal.

(12) The Central Adoption Resource Authority and the State Adoption Resource Authority may develop appropriate training modules and manuals for Specialised Adoption Agencies and staff of State Adoption Resource Agency and organise training programmes.

103. Preventive mechanisms of Child Protection.- (1) The State Government and the State Child Protection Society shall, in the best interest of the child, develop and integrate age-specific curriculum for schools and colleges on child rights education, gender sensitivity, gender identity, sexuality education and empowerment, restorative approaches, and crimes against children, teaching and empowering both children, teachers, and staff on various aspects of protection against drug abuse, trafficking, child sexual abuse and exploitation, positive disciplining, gender based violence and other aspects of violence against children.

(2) The State Government, the Juvenile Justice Board, the Child Welfare Committee and other competent authorities shall, in the best interest of children, ensure that every person, child care institution, school or such other educational institutions abide by any policy or guidelines relevant to children issued from time to time by the State Government.

(3) The prevention of the commission of the offences against children shall be achieved by the State Child Protection Society and District Child Protection Unit through, education and empowerment of children, communities, law enforcement agencies and other relevant stakeholders.

(4) The District Child Protection Unit as per the guidelines framed by the State Child Protection Society shall take steps for awareness generation, identification and reporting of crimes against children.

(5) The District Child Protection Unit shall create specific programmes for awareness generation on substance abuse and drug addiction in schools and shall also develop safety mechanisms for prevention, reporting and rehabilitation of the child.

(6) The District Child Protection Unit shall develop programmes for sensitization of Panchayati Raj Institutions and Municipal Corporations on crimes against children including identification and reporting of crimes for enhanced protection.

(7) A model child-friendly panchayat, municipality and ward level mechanism inclusive of children's participation to ensure prevention and protection of children from violence and crimes shall be developed by the State Government.

(8) The Directorate of Child Protection shall frame a Model Child Protection Policy for Residential Care which shall be applicable to all institutions providing residential care to children, including child care institutions, residential schools, hostels attached to a school, hostels not attached to any school, ashramas, madrasas, etc., whether managed by government, voluntary or non-governmental organisations or corporates, in consultation with all stakeholders and shall ensure that all Child Care Institutions registered under the Act formulate a Child Protection Policy based on the Model Policy.

104. Pending Cases.-(1) No child shall be denied the benefits of the Act and these rules.

(2) The benefits referred to in sub-rule (1) shall be made available to all persons who were children at the time of the commission of the offence, even if they ceased to be children during the pendency of the inquiry or trial.

(3) While computing the period of detention or stay or sentence of a child in conflict with law, all such period which the child had 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.

105. Monitoring by Karnataka State Commission for Protection of Child Rights.- In addition to the functions specified under the Commissions for Protection Child Rights Act, 2005 (Central Act 4 of 2006), the Karnataka State Commission for Protection of Child Rights shall perform following functions in consultation with the State Government, namely:-

(2) Set up a Juvenile Justice Monitoring Division with required human resources within six months from these rules coming into force. Such Juvenile Justice Monitoring Division shall perform following functions namely:-

- i. Review setting up and functioning of institutions created under the Act;
- ii. Visit the Child Care Institutions including the Specialised Adoption Agencies and maintain a record of such visits conducted by the authorities.
- iii. Develop Information, Education and Communication(IEC) material on child rights and gender sensitivity;
- iv. Develop protocols for reformation and rehabilitation of children;
- v. Create awareness about identification and reporting of crimes against children such as drug abuse, trafficking, child sexual abuse and exploitation including child marriage, and other aspects of violence against children;
- vi. Conduct sensitization workshops for panchayat raj institutions and municipal corporations on crimes against children including identification and reporting of crimes for enhanced protection;
- vii. Develop information material detailing the rights of the child victims or witnesses and their families, and containing useful information in local languages, which may be provided to the victim and his family; and
- viii. Develop training modules for stakeholders along with the State Child Protection Societies and National Institute of Public Cooperation and Child Development etc.

(3) The Commission may enlist non-governmental organisations from each district working on child protection or child rights to provide inputs on a quarterly basis to the Commission on problems being faced in implementation of the Act in the district concerned.

(4) The State Commission shall issue recommendations for improving implementation of the Act to the State Government on a yearly basis.

(5) The State Government shall act on the recommendations made by the State Commission on the implementation of the Act and shall file an action taken

report within three months from receipt of such recommendation from the State Commission.

(6) In case of inaction on the recommendations made by the State Commission, it shall take further action in the manner prescribed in the Commissions for Protection of Child Rights Act, 2005 (Central Act 4 of 2006), and Rules made there under and for this purpose may engage a lawyer or a team of lawyers on a case to case basis or on a permanent basis, as may be required.

(7) For carrying out the monitoring function efficiently, the State Commission may send requisition to the State Government for making required financial or budgetary allocations.

106. Inquiry in case of a Missing Child.-(1) A missing child is a child, whose whereabouts are not known to the parents, legal guardian or any other person or institution legally entrusted with the custody of the child, whatever may be the circumstances or causes of disappearance, and shall be considered missing and in need of care and protection until located or their safety and well-being is established.

(2) When a complaint is received about a child who is missing, the police shall register a First Information Report forthwith.

(3) The police shall inform the Child Welfare Police Officer and forward the FIR to the Special Juvenile Police Unit for immediate action for tracing the child.

(4) The police shall;-

- i. collect a recent photograph of the missing child and make copies for District Missing Persons Unit, Missing Persons Squad, National Crime Records Bureau or Media etc.;
- ii. fill the form on the designated portal;
- iii. fill the specific designed 'Missing Persons Information Form' and immediately send to Missing Persons Squad, District Missing Persons Unit, National Crime Record Bureau, State Crime Records Bureau, Central Bureau of Investigation, and other related institutions;

- iv. send a copy of the First Information Report by post or email to the office of the nearest Legal Services Authority along with addresses and contact phone numbers of parents or guardian of the missing child or the Child Care Institution, after uploading the relevant information onto the designated portal;
- v. prepare sufficient number of Hue and Cry notices containing photograph and physical description of the missing child to be sent for publication;
- vi. give wide publicity by publishing or telecasting the photographs and the description of the missing child, as feasible in,-
 - a. leading newspapers;
 - b. television or electronic media;
 - c. local cable television network; and
 - d. social media and thereafter submit for ratification by the Board or the Committee or the Children's Court, as the case may be;
- vii. give wide publicity in the surrounding area through the use of loudspeakers and the distribution and affixture of Hue and Cry notice at prominent places. Social networking portals, Short Message Service alerts and slides in cinema halls can be used to reach out to the masses;
- viii. distribute Hue and Cry notice at all the outlets of the city or town, that is, railway stations, bus stands, airports, regional passport office and other prominent places;
- ix. search areas and spots of interest such as movie theatres, shopping malls, parks, amusement parks, games parlours and areas where missing or run away children frequent should be identified and watched;
- x. scan the recordings of the Closed Circuit Television Cameras installed in the vicinity of the area from where the child was reported missing and on all possible routes and transit destination points like bus stands, railway stations, and other places;

- xi. inquire from under construction sites, unused buildings, hospitals, and clinics, child line services, and other local outreach workers, railway police, and other places; and
- xii. details of missing children should be sent to the District Crime Record Bureaus of the neighbouring States and Station House Officers (SHOs) of the bordering police stations including in charge of all police posts in their jurisdiction and shall conduct regular interaction with the concerned so that follow up action is ensured;

(5) Where a child cannot be traced within a period of four months, the investigation of the case shall be transferred to the Anti Human Trafficking Unit in the District which shall make reports every three months to the District Legal Services Authority regarding the progress made in the investigation.

(6) When a child is traced;-

- i. he shall be produced before the Board or the Committee or the Children's Court, as the case may be, for appropriate directions;
- ii. the police shall send a report to the District Legal Services Authority which shall provide counselling and support services to the child and the family; and
- iii. the police shall conduct an inquiry whether the child has been subjected to any offence under the Act or any other law and if so, proceed accordingly.

(7) The Central Government or the State Government may issue appropriate Standard Operating Procedures for the manner of inquiry in cases of missing children to give effect to these rules.

(8) The Karnataka State Commission for Protection of Child Rights shall monitor implementation of Standard Operating Procedures on Missing Children issued by the Central Government or State Government, and make recommendations to appropriate authorities.

107. Non-Compliance of the Act and the rules.- The State Government, either on its own or on being intimated by any Court, Board or the Committee or Police or any Statutory Commission or on receipt of a written complaint in this regard, may take appropriate action against any Government Officer, office bearer of any institution, statutory body or any individual, who fails to comply with the provisions of the Act and these rules.

108. Repeal and savings.-The Juvenile Justice (Care and Protection of Children) (Karnataka) Rules, 2010 are hereby repealed:

Provided that, the said repeal shall not affect,-

- a. the previous operation of the said rules or anything duly done or suffered there under, or
- b. affect any right, liability or obligation acquired, accrued or incurred under the said rules.

By order and in the name of the Governor of Karnataka

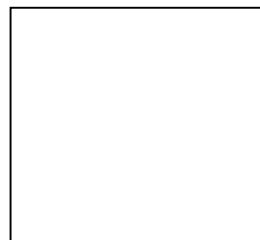
(C. Balaram)

Deputy Secretary to Government-1
Department of Women and Child Development and
Empowerment of Differently Abled and Senior Citizens.

FORM 1

[Rules 8(1), 8(5)]

SOCIAL BACKGROUND REPORT



Affix Passport Size Photograph of CCL

FIR No:

U/Sections:.....

Police Station:

Date & Time: / / &

Name of I.O.:

Contact Details of I.O.:.....

Name of CWPO:.....

Contact Details of CWPO:.....

1.Name:

2.Father/Mother/Guardian's name:

3.Sex [Male/Female/Transgender]:

4.Age & Date of birth (indicate whether based on oral statement/documents/ appearance):

..... & / /

5. Address:

.....

6.Religion

- (i) Hindu
- (ii) Muslim/ Christian/ Other (pl. specify)

7. Caste and Tribal Identity : OC/BC/SC/ST

8. Whether the child is with disability:

- (i) Physical disability:
 - (a) Locomotive Disability
 - (b) Visual Impairment
 - (c) Hearing Impairment
 - (d) Speech and language disability
- (ii) Intellectual disability
- (iii) Others (please specify):

9. Family Details:

| S.No. | Name and Relationship | Age | Sex | Education | Occupation | Income | Health status | History of Mental Illness (if any) | Addictions (if any) |
|-------|-----------------------|-----|-----|-----------|------------|--------|---------------|------------------------------------|---------------------|
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) | (10) |
| | | | | | | | | | |

10. Reasons for leaving home:

11. Whether there is a history of involvement of family members in offences, if any:

☐ Yes ☐ No

12. Employment Details, if any:

13. The details of education of the child:

- (i) Never attended School
- (ii) Studied up to V Standard
- (iii) Studied above V Standard but below VIII Standard
- (iv) Studied above VIII Standard but below X Standard
- (v) Studied above X Standard

14. The reason for leaving school:

- (i) Failure in the class last studied
- (ii) Lack of interest in the school activities
- (iii) Indifferent attitude of the teachers
- (iv) Peer group influence
- (v) To earn and support the family
- (vi) Sudden demise of parents
- (vii) Bullying in school
- (viii) Rigid school atmosphere
- (ix) Absenteeism followed by running away from school
- (x) No age appropriate school nearby
- (xi) Abuse in school
- (xii) Humiliation in school
- (xiii) Corporal punishment
- (xiv) Medium of instruction
- (xv) Others (pl. specify):

15. The details of the school in which studied last:

- (i) Corporation/Municipal/Panchayat
- (ii) Government/SC Welfare School/BC Welfare School
- (iii) Private management

16. Skill training, if any:

17. Whether the child has been subjected to any form of abuse:

e/F

oN

| S.No. | Type of Abuse | Remarks |
|-------|--|---------|
| 1. | Verbal abuse – parents/ siblings / employers / others (pl. specify) | |
| 2. | Physical abuse(pl. specify) | |
| 3. | Sexual abuse parents/ siblings/ Employers/others (pl. specify) | |
| 4. | Others (pl. specify) | |

18. Whether the child is a victim of any offence:

Yes

No

20. Whether the child is used by any gangs or adults or group of adults or has been used for drug peddling: ☐ Yes ☐ No

21. Circumstances in which the child was apprehended :

.....

.....

22. Details of articles recovered from the child :

.....

.....

23. Alleged role of the child in the offence:

.....

.....

24. Action taken on information of offences against the child, if any:

.....

.....

25. Suggestions of Child Welfare Police Officer: :

.....

.....

**Signed by /Thumb Impression by
Parent/Guardian of CCL**

Sign by Child Welfare Police Officer

Date: ____ / ____ / ____

Time: _____

FORM 2

[Rule 8 (7)]

**UNDERTAKING BY THE PARENT OR GUARDIAN OR FIT PERSON
GIVEN INTERIM CUSTODY PENDING INQUIRY**

Case Number: _____

Whereas I,(name), related to the child as
....., resident of House no., Street
....., Village/Town, District,
State....., with contact no. do hereby
declare that I am willing to take charge of (name of the child)
..... aged under the orders of the Board
..... subject to the following terms and conditions:

1. That I have annexed true, correct and authentic identification and address proof of myself.
2. That I undertake to produce him/her before the Board as and when required.
3. That I shall do my best for the welfare and education of the child as long as he/ she remains in my charge and shall make proper provision for his/her maintenance.
4. That in the event of his/her illness, he/she shall have proper medical attention in preferably the nearest hospital and a report of it followed by a fitness certificate shall be submitted before the Board.
5. That I shall do my best to ensure that the child will not be subjected to any form of abuse/ neglect or exploitation
6. That if his/her conduct requires further supervision or care and protection, I shall at once inform the Board.
7. That if the child goes out of my charge or control, I shall immediately inform the Board.

Dated this day of, 20.....

Signature of person executing the Undertaking/ Bond

(Signed before me)

Child Welfare Police Officer/SJPU

FORM 3

[RULE 10 (1) (iii)]

SUPERVISION ORDER

Case Number:

When the child is placed under the care of a fit person/fit institution/Probation Officer pending inquiry FIR No.U/Sections of..... 20.....PS.....

Whereas (name of the child) is alleged to have committed an offence and is 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 child by making an order placing him/her under supervision.

It is hereby ordered that the said child be placed under the supervision of
.....for a period of.....subject to the following conditions:

1. That the child shall reside at..... for a period of.....and shall be produced before the Board as and when directed.
2. That the child shall not be allowed to leave the ofwithout the permission of the Board.
3. That best efforts shall be made by the person under whose care the child is placed to protect the child from negative influences.
4. That the person under whose care the child is placed shall arrange for the proper care, education and welfare of the child.
5. That the best efforts shall be made by the person under whose care the child is placed to take preventive measures to see that the child does not commit any offence punishable by any law in India.
6. That the child shall be prevented from taking narcotic drugs or psychotropic substances or any other intoxicants. The person under whose supervision the child is placed shall report any such act of the child to the Board.

Dated this day of , 20.....

(Signature)

Principal Magistrate/ Member Juvenile Justice Board

Note: Additional, conditions, if any may be inserted by the Juvenile Justice Board.

FORM 4

[RULE 10 (1)(iv)]

ORDER OF PLACING A CHILD IN CHILD CARE INSTITUTION PENDING INQUIRY

Case Number: _____

To,

The Officer in charge.

Whereas on the..... day of....., 20....., -
.....(name of the child), son / daughter
of....., aged....., residing at alleged
to be involved in FIR No. U/SectionsPS
.....is ordered by the Juvenile Justice Board to be kept in the Child Care
Institution (Observation Home/ Place of Safety) namely for a
period of

This is to authorize and require you to receive the said child into your charge, and to keep him
in the Child Care Institution (Observation Home/ Place of
Safety)..... and to produce the child as and
when directed by the Board, for the aforesaid order to be carried into execution according to law.

Next date of hearing: / /

Given under my hand and the seal of Juvenile Justice Board, this day of
....., 20..... .

(Signature)

Principal Magistrate/Member

Juvenile Justice Board

FORM 5

[Rule 10(2)]

ORDER FOR SOCIAL INVESTIGATION REPORT

Case number:

FIR No:

U/Sections:

Police Station:

To,

Probation Officer/ Person in-charge of Voluntary or Non-Governmental Organization, with office address

Whereas(Name of the Child), son/daughter of..... aged , residing at..... , 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 child and submit your social investigation report on or beforeor within such time as allowed to you by the Board.

You are also hereby directed to consult an expert in child psychology, psychiatric treatment or counselling or any other expert for their expert opinion if necessary and submit such report along with your Social Investigation Report.

Dated thisday of20..... .

(Signature)

Principal Magistrate/ Member

Juvenile Justice Board

FORM 6

[Rules 10 (9), 11 (2), 64(1), 64(3)(i)]

SOCIAL INVESTIGATION REPORT FOR CHILDREN IN CONFLICT WITH LAW

Case Number:.....

Sl. No.....

Submitted to the Juvenile Justice Board..... (address).

Probation Officer/ Voluntary/Non- Governmental Organization..... (Name of the person)

FIR No.....

Under sections.....

Police Station.....

Nature of offence alleged: Petty ☐ Serious ☐ Heinous ☐

1. Name:

2. Age/Date/Year of birth:

3. Sex [Male/Female/Transgender]:

4. Caste:

5. Religion:

6. Father's Name:

7. Mother's Name:

8. Guardian's Name:

9. Permanent Address / Place of Stay:

.....

.....

10. Landmark of the Address/ Place of Stay:

11. Address of last residence.....

12. Contact no. of father/ mother/ family member.....

13. Whether the child is with ☐ Yes ☐ No disability?

If yes, then form of disability:

(i) Physical disability:

(a) Locomotive Disability

- (b) Visual Impairment
- (c) Hearing Impairment
- (d) Speech and language disability

(ii) Intellectual disability

(iii) Mental illness (collect copies of medical reports, if any)

(iv) Others (please specify)

14. Family Details:

| S.No (1) | Name and Relationship (2) | Age (3) | Sex (4) | Education (5) | Occupation (6) | Income (7) | Health status (8) | History of Mental Illness (if any) (9) | Addictions (if any) (10) |
|-------------|---------------------------------|------------|------------|------------------|-------------------|---------------|-------------------------|---|--------------------------------|
| | | | | | | | | | |

15. If the child or person is married, name, age and details of spouse and children:

.....

.....

16. Relationship among the family members:

| | |
|---|---------------------------------|
| i. Father & mother | Cordial/ Non cordial/ Not known |
| ii. Father & child | Cordial/ Non cordial/ Not known |
| iii. Mother & child | Cordial/ Non cordial/ Not known |
| iv. Father & siblings | Cordial/ Non cordial/ Not known |
| v. Mother & siblings | Cordial/ Non cordial/ Not known |
| vi. Child & siblings | Cordial/ Non cordial/ Not known |
| vii. Child & grandparents (paternal/maternal) | Cordial/ Non cordial/ Not known |

17. History of involvement of family members in offences, if any:

| S. No. | Relationship | Nature of Crime | Legal status of | Arrest if any made | Period of confinement | Punishment awarded |
|--------|--------------|--------------------|--------------------|-----------------------|--------------------------|-----------------------|
|--------|--------------|--------------------|--------------------|-----------------------|--------------------------|-----------------------|

| | | | | | | |
|----|--|--|----------|--|--|--|
| | | | the case | | | |
| 1. | Father | | | | | |
| 2. | Step father | | | | | |
| 3. | Mother | | | | | |
| 4. | Step mother | | | | | |
| 5. | Brother | | | | | |
| 6. | Sister | | | | | |
| 7. | Others (uncle/ aunty/ grandparents) | | | | | |

18. Present living conditions:

19. Other factors of importance, if any:

20. (i) Habits of the child (Tick as applicable)

A

| |
|---|
| a) Smoking b) Alcohol consumption c) Drug use (specify) d) Gambling e) Any Other |
|---|

B

| |
|--|
| a) Watching TV/movies b) Playing indoor/ outdoor games c) Reading books d) Religious activities e) Drawing/painting/ acting/singing f) Any Other |
|--|

ii) Extra-curricular interests:

iii) Outstanding characteristics and personality traits:

21. Child's opinion/reaction towards discipline in the home:

22. Employment Details of the child, if any:

23. Details of income utilization and manner of income utilization:

.....

24. Work record (reasons for leaving vocational interests, attitude towards job or employers):

.....

.....

.....

25. The details of education of the child:

i) Never attended school

ii) Studied up to V Standard

iii) Studied above V Standard but below VIII Standard

iv) Studied above VIII Standard but below X Standard

v) Studied above X Standard

26. Child's opinion of Attitude of teachers and classmates towards the child:

.....

.....

27. The reason for leaving School (tick Yes/No as applicable)

i) Failure in the class last studied

ii) Lack of interest in the school activities

iii) Indifferent attitude of the teachers

iv) Peer group influence

v) To earn and support the family

vi) Sudden demise of parents

vii) Bullying in school

viii) Rigid school atmosphere

ix) Absenteeism followed by running away from school

x) There is no age appropriate school nearby

xi) Abuse in school

xii) Humiliation in school

xiii) Corporal punishment

xiv) Medium of instruction

xv) Others (pl. specify)

28. The details of the school in which studied last:

i) Corporation/Municipal/Panchayat

ii) Government/SC Welfare School/BC Welfare School

iii) Private management

iv) School under NCLP

29. Vocational training, if any:

30. Majority of the friends are

i) Attending school

ii) Not attending school

iii) The same age group

iv) Older in age

v) Younger in age

vi) Same sex

vii) Opposite sex

viii) Addicts

ix) With criminal background

31. Attitude of the child towards friends:

32. Attitude of friends towards the child:

33. Observations of neighbours towards the child:

34. Observations about neighbourhood (to assess the influence of neighbourhood on the child)

.....

35. Whether the child has been subjected to any form of abuse:

Yes

No

36. Whether the child is a victim of any offence:

37. Whether the child is used by any gangs or adults or group of adults or has been used for drug peddling:

Yes

No

38. Does the child has tendency to run away from home, give details if any:

Yes

No

.....

39. Circumstances of apprehension of the child:
.....
.....

40. Alleged role of the child in the offence.....

41. Family and Social Background

- (i) Parental neglect
- (ii) Parental overprotection
- (iii) Parents criminal behavior
- (iv) Parents influence (negative)
- (v) Peer group influence
- (vi) Bad habits (to buy drugs/alcohol)
- (vii) Others (pl. specify)

42. Whether the child has been apprehended earlier for any offence, if yes give details including stay in a child care institution: ☐ Yes ☐ No

.....

43. Previous institutional/case history and individual care plan, if any:

.....

.....

44. Physical appearance of the child:

.....

.....

45. Health condition of the child (including medical examination report, if applicable):

.....

.....

46. Signs of emotional distress, if any:

47. Any other remark:

.....

.....

RESULT OF INQUIRY

1. Emotional factors

2. Physical condition

3. Social and economic factors.....

4. Analysis of the case, including reasons/contributing factors for the alleged offence:

.....

.....

5. Opinion of experts consulted:

i. Name of expert:

Designation, Qualification and Experience:

.....

.....

Contact Details:

Summary of opinion (copy of opinion attached)

.....

.....

.....

.....

.....

.....

.....

.....

.....

ii. Name of expert:

Designation, Qualification and Experience:

.....

Contact Details:

Summary of opinion (copy of opinion attached)

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

iii. Name of expert:

Designation, Qualification and Experience:

.....

Contact Details:

Summary of opinion (copy of opinion attached)

.....
.....
.....
.....
.....
.....
.....
.....

6. Recommendation regarding rehabilitation by Probation Officer/Child Welfare Officer:

(i) Recommendations regarding indication of risk to child if released on bail

.....
.....

(ii) Services required at the time of release

.....
.....

(iii) Any other recommendation

.....
.....

Signature of the Probation Officer/ Child Welfare Officer/ Social Worker

Stamp and Seal where available

FORM 7

[Rules 11 (3), 13 (7) (vi), 13 (8) (ii), 19 (4), 19 (17), 62 (6) (vii), 62 (6) (x), 69 I (3)] INDIVIDUAL CARE PLAN

☐ Child in Conflict with Law ☐ Child in Need of Care and Protection
(tick whichever is applicable)

Name of Case Worker/ Child Welfare Officer/ Probation officer:.....

Date of preparing the ICP/....../.....

Dates on which this ICP was revised.....

Case/Profile No:of 20.....

FIR No:

U/Sections applicable in case of Children in Conflict with Law

Police Station.....

Address of the Board or the Committee or the Children's Court

.....

PART 1: CHILD PARTICULARS

A. PERSONAL DETAILS (to be provided by child/parent/both on production of child before JJB/CWC)

1. Name of the Child.....
2. Age/Date of Birth.....
3. Sex[Male/Female/Transgender]:
4. Father's name:.....
5. Mother's name.....
6. Nationality.....
7. Religion.....
8. Caste/Tribal Identity.....
9. Language/spoken.....
10. Level of Education, name and address of educational institution:
11. Details of Savings Account of the child, if any.....
12. Details of child's earnings and belongings, if any.....
13. Details of awards/rewards received by the child, if any.....
14. Based on the results of Case History, Social Investigation report and interaction with the child, give details on following areas of concern and interventions required, if any:
15. Date of submission of Social Investigation Report:/....../.....

| S.No. | Category | Areas of concern | Proposed Interventions |
|-------|--|------------------|------------------------|
| 1. | Child's expectation from care & protection | | |
| 2. | Health and nutrition needs | | |
| 3. | Emotional and psychological support needs | | |
| 4. | Educational and Training needs | | |
| 5. | Leisure, creativity and play | | |
| 6. | Attachments and Inter-personal relationships | | |
| 7. | Self care and life-skill training for Protection from all kinds of abuse, neglect and maltreatment | | |
| 8. | Independent living skills | | |
| 9. | Any other such as significant experiences which may have impacted the development of the child like trafficking, domestic violence, parental neglect, bullying in school, etc. (Please specify) | | |

B. PROGRESS REPORT OF THE CHILD *(to be prepared every fortnight for first three months and thereafter to be prepared once a month)*

[Note: Use different sheet for Progress Report]

- Name of the Probation Officer/Caseworker/Child Welfare Officer:
- Period of the report:
- Admission No:
- Board or Committee:
- Profile No/ Case Number:
- Name of the Child:
- Stay of the child:
 - ☐ Short Term (*upto six months*)
 - ☐ Medium Term (*six months to one year*)
 - ☐ Long Term (*more than 1 year*)
- Place of interview:
- Dates:
- General conduct and progress of the child during the period of the report:

.....

.....
- Progress made with regard to proposed interventions as mentioned in point 14 of PartA of this Form:

.....

.....

.....

| S.No. | Category | Proposed Intervention | Progress of the child |
|-------|---|-----------------------|-----------------------|
| 1. | Child's expectation from care and protection | | |
| 2. | Health and nutrition needs | | |
| 3. | Emotional and psychological support needed | | |
| 4. | Educational and Training needs | | |
| 5. | Leisure, creativity and play | | |
| 6. | Attachments and Inter-personal Relationships | | |
| 7. | Self care and life skill training for Protection from all kinds of abuse, neglect and maltreatment | | |
| 8. | Independent living skills | | |
| 9. | Any other such as significant experiences which may have impacted the development of the child like trafficking, domestic violence, parental neglect, bullying in school, etc.(Pl. specify) | | |

12. Any proceedings before the Committee or Board or Children's Court:

- i. Variation of conditions of bond
- ii. Change of residence of the child
- iii. Other matters, if any:

13. Period of supervision completed on: / /

Result of supervision with remarks (if any)

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

Date of report / /

Signature of the Probation Officer

C. PRE-RELEASE REPORT(to be prepared 15 days prior to release)

1. Details of place of transfer and authority concerned responsible in the place of transfer/release
2. Details of placement of the child in different institutions/family
3. Training undergone and skills acquired
4. Last progress report of the child(to be attached, refer Part B)
5. Rehabilitation and restoration plan of the child (to be prepared with reference to progress reports of the child)

| S.No. | Category | Areas of concern |
|-------|--|------------------|
| 1. | Child's expectation from care & protection | |
| 2. | Health and nutrition needs | |
| 3. | Emotional and psychological support needs | |
| 4. | Educational and Training needs | |
| 5. | Leisure, creativity and play | |
| 6. | Attachments and Inter-personal relationships | |
| 7. | Self care and life-skill training for Protection from all kinds of abuse, neglect and maltreatment | |
| 8. | Independent living skills | |
| 9. | Any other such as significant experiences which may have impacted the development of the child like trafficking, domestic violence, parental neglect, bullying in school, etc. (Please specify) | |

6. Date of release/transfer/repatriation:/....../.....
7. Requisition for escort if required.....
8. Identification Proof of escorts such as driving license, Aadhar Card, etc.....
9. Recommended rehabilitation plan including possible placements/sponsorships....
10. Details of Probation Officer / Non-Governmental Organization for post-release follow-up:
11. Memorandum of Understanding with non-governmental organization identified for post-release follow-up (Attach a copy).....
12. Details of sponsorship agency/individual sponsor, if any.....

13. Memorandum of Understanding between the sponsoring agency and individual sponsor (Attach a copy).....
14. Medical examination report before release.....
15. Any other information.....

D. POST-RELEASE/RESTORATIONREPORTOFTHECHILD

1. Status of Bank Account: Closed/Transferred
2. Earnings and belongings of the child handed over to the child or his parents/guardian: ☐ 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 post release:
4. Progress made with reference to Rehabilitation and Restoration Plan.....
5. Family's behaviour/attitude towards the child.....
6. Social milieu of the child particularly attitude of neighbours/community.....
7. How is the child using these skills acquired.....
8. Whether the child has been admitted to a School or vocation? ☐ Yes ☐ No
- If yes, name of the school/ Institute/ any other agency & Date of admission:
.....
9. Report of second and third follow-up interaction with the child after two months and six months respectively
10. Efforts towards social mainstreaming and child's opinion/views about it:
.....

11. Identity Cards:

[Instruction: Please verify with the physical documents]

| IDENTITYCARDS | Present status(<i>Pl. tick whichever is applicable</i>) | | Action taken |
|--|---|----|--------------|
| | Yes | No | |
| Birth Certificate | | | |
| School certificate | | | |
| Caste certificate | | | |
| BPL Card | | | |
| Disability Certificate | | | |
| Immunization card | | | |
| Ration Card | | | |
| Aadhaar Card | | | |
| Received compensation from | | | |
| Received documents that enable the child/ child's family to receive entitlements from existing welfare schemes - (specify details) | | | |

12. Details of compensation received, and services/funds received from other schemes, if any:

.....

PART 2: INSTITUTION DETAILS DURING CARE PLAN PRIOD

☐ Fit Institution ☐ Children's Home ☐ Observation Home
☐ Special Home ☐ After Care Residential Facility

Name of Institution:.....

Admission No. (if child is in an institution):

Date of Admission(if child is in an institution):

Order for placement

☐ Short Term Placement Order
☐ Long Term Placement Order
☐ After Care Placement Order

Order Number:

Order Date:/....../.....

PART 3: CARE PLAN DETAILS

Short Term Care Plan (up to six months)

(tick all the needs that shall be provided to the child in institutional care, while the case is pending inquiry)

Short Term Care Plan commencement date:/....../.....

- ☐ Schooling
- ☐ Vocational Training
- ☐ Emotional & Psychological (Counselling)
- ☐ Medical Treatment
- ☐ Family Contact

Long Term Care Plan (beyond six months;)

Long Term Care Plan commencement date:/....../.....

Long Term Placement Goal:

Family based

- ☐ Restore to biological family in ____ (Years/Months)
- ☐ Foster Care Placement
- ☐ Adoption placement
- ☐ Placement in After Care Program (after release)

Institutional Alternatives

- ☐ Place in Fit Institution
- ☐ Children's Home
- ☐ Special Home

(tick all the needs that shall be provided to the child)

- ☐ Schooling
- ☐ Vocational Training
- ☐ Emotional & Psychological (Counselling)
- ☐ Medical Treatment
- ☐ De-addiction program
- ☐ Family Contact
- ☐ Other Referral Services

A) ACADEMIC SKILLS

- ☐ Schooling ☐ Mainstream School ☐ In-house School
- ☐ Special Education ☐ Any other program

- i. Class:
- ii. Name of the School & Location:
- iii. School Admission Date:/....../.....

B) VOCATIONAL SKILLS

- i. Skill / Course Name:
- ii. Name of the Training Institute:
- iii. Date of Admission:/....../.....
- iv. Duration:

C) EMOTIONAL AND PSYCHOLOGICAL NEEDS

- i. Name of the Counsellor:
- ii. Sessions Start Date:/....../.....
- iii. Number of Sessions:

D) HEALTH NEEDS (SPECIAL TREATMENT)

- i. Medical Practitioner/ Hospital:
- ii. Treatment Start Date:/....../.....

Note: The care plan shall be prepared in discussion with the child, biological parent(s), teachers, doctors, counsellors and others who have been in close association with the child. It will be prepared by also taking into consideration the observations recorded in the Social Investigation Report and the opinion of experts. A Short Term Care Plan will be prepared for the children placed under custodial care during the process of inquiry. After the inquiry process, if the child is placed in institutional care as a part of the restoration and the rehabilitation process, the progress of the child against the plan will be reviewed every quarter. After each review, if necessary, the plan may be revised.

Signature of the Probation Officer/Child Welfare Officer

Stamp and Seal where available

FORM 8

[Rule 11 (6)]

UNDERTAKING/ BOND TO BE EXECUTED BY A PARENT/ GUARDIAN/ /FIT PERSON IN WHOSE CARE A CHILD IN CONFLICT WITH LAW IS PLACED

Case Number:

Whereas I, being the parent, guardian, relative or fit person under whose care.....(name of the child) has been ordered to be placed by the Juvenile Justice Board..... having 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 to be responsible for the good behaviour and well-being of the saidand to observe the following conditions for a period of years with effect from

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;
2. That I shall not remove the said child from the limits of the state without previously obtaining the written permission of the Board;
3. That I shall send the said child 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 sincerely give effect to the Individual Care Plan with the help of the Probation Officer;
5. That I shall report immediately to the Board whenever so required by it and also produce the child before the Board as and when directed to do so;
6. That I shall produce the said child in my care before the Board, if he/she does not follow the orders of Board or his/her behaviour is beyond my control;
7. That I shall report to the Board if the child goes out of my control or charge;
8. That I shall render all necessary assistance to the Probation Officer to enable him to carry out the duties of supervision;

In the event of my making default herein, I undertake to appear before the Board and bind myself to pay to Government the sum of Rs (Rupees.....).

Dated thisday of20..... .

**Signature of person
executing the Undertaking/Bond**

**Principal Magistrate/
Member Juvenile Justice Board**

Additional conditions, if any, by the Juvenile Justice Board may be entered numbering them properly;

(Where a bond with sureties is to executed add)

I/Weof(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)

**Principal Magistrate/ Member, Juvenile
Justice Board**

[Rules 11 (7)]

PERSONAL UNDERTAKING BY CHILD

Case Number:

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 by the Juvenile Justice Boardunder section of the Juvenile Justice (Care and Protection of Children) Act, 2015 on my entering into a personal undertaking 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;
2. That during the said period I shall attend the school/ skill training in which I have been admitted 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 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 child)

Certified that the conditions specified in the above order have been read over/explained to (Name of child)and that he has accepted them as the conditions upon non-compliance of which he/she may be placed in safe custody.

Certified accordingly that the said child has been released/ relieved on (date)

Signature
Principal Magistrate/Members
Juvenile Justice Board

FORM 10

[Rules 11(9) and 64 (3) (xiii)]

PERIODIC REPORT BY PROBATION OFFICER WHEN A CHILD IS RELEASED ON PROBATION

Case Number:

FIR No..... Police StationU/Sections.....

In the matter of..... vs.....

Whereas (name of the child), age....., has on..... (date) been found to be a child in conflict with law, and has been placed under the care of (parent/ guardian/ fit person/fit facility) and under the supervision of(name of Probation Officer)

| | | |
|-------------------------------|--|--|
| Reg. No. :- | Age (approximately) :- | Sex:- Male / Female / |
| Name:- | Fathers Name:- | Religion:- |
| Whether pursuing education: - | Whether pursuing skill Training | Language(s) known:- |
| Next court date:- | Whether engaged in employment/apprenticeship | Date of admission (in case of fit person/fit facility) |

Case details and summary

.....
.....

1. Preliminary details:

(i) Visit Date:/...../.....

(ii) Name of Parent / Guardian.....

- (iii) Names of Other Adults Living in the Home and with whom the Probation Officer interacted:
- a.
 - b.
 - c.

2. Observations:

- (i) Child's behaviours.....
- (ii) Physical and mental health status/needs of child and family.....
- (iii) Inter-personal relationship of the child with the family.....
- (iv) Inter-personal relationship with friends.....
- (v) Safety and supervision in the family.....
- (vi) Difficulties faced by the child.....
- (vii) Difficulties faced by the family.....
- (viii) Changes in the household.....
- (ix) Engagement of child in any harmful behaviours(Examples could be exhibiting bullying behaviour, violent outbursts, destructions, self-harm, lying, defiance, impulsiveness, lack of empathy, sexually deviant actions etc.).....
.....
- (x) Time elapsed since last engagement in any anti-social behaviour or harmful activities.....

3. Visit to school/ vocational training centre

- (i) Name of the school/centre.....
- (ii) Name of the Teacher / Principal met.....
- (iii) Any unusual behaviour observed.....
- (iv) Feedback received on the progress of the child.....
- (v) Attitude of the peers towards the child.....
- (vi) Attitude of the child towards the peers.....

4. Visit to place of employment:

- (i) Nature of work.....
- (ii) Working hours.....
- (iii) Attitude of the child towards work.....

- (iv) Violation of any labour laws, Low wages or wages being withheld, if observed and action taken against employer.....

5. Did you spend time speaking with the child in a child-friendly environment that is safe for the child

Yes ☐ No ☐

If no, give reasons.....

.....

.....

6. Progress made as per Rehabilitation and Restoration Plan under the Individual Care Plan (refer point 14 of Section A, Form 7) in consultation with relevant experts:

.....

.....

.....

.....

(To use additional sheets if required)

7. Recommendations for modifications in Rehabilitation and Restoration Plan under the Individual Care Plan, if any:

(To use additional sheets if required)

Prepared by:

Probation Officer/...../.....

Plan: Date of next visit: / /

Action point if any:

Signature

(Probation Officer)

FORM 11**[Rule 12 (1)]****CASE MONITORING SHEET***(Separate Sheet may be used in case there are more than one child)*

Juvenile Justice Board, District.....

Case No.of.....(Year)

Case Name:

| | |
|---|---|
| Police Station | Date..... |
| U/S..... | FIR/ GD/ DD No. |
| Name of Probation Officer/Counselor..... | Name of IO |
| Name of Lawyer | Name of Child Welfare Police Officer..... |
| (If not represented provide Legal Aid Lawyer) | |

NATURE OF OFFENCE**PETTY***(maximum punishment upto three years)***SERIOUS***(maximum punishment between three to seven years)***HEINOUS***(minimum punishment for seven years or more)***PARTICULARS OF CHILD**

| Name | Parents/ Guardian with Contact No. | Present address | Permanent address |
|------|------------------------------------|-----------------|-------------------|
| | | | |

| | | |
|---|-----------|---------|
| DATE AND TIME CHILD APPREHENDED | | |
| DATE AND TIME OF FIRST PRODUCTION | | |
| DATE OF MEDICAL EXAMINATION UNDER SECTION 54 Cr.P.C. | | |
| AGE DETERMINATION | | |
| Age on the Date of offence | | |
| Date of age Determination | | |
| Time taken for age determination | | |
| Determination by | BOARD | COURT |
| Evidence Relied: | Documents | Medical |

| | | |
|---|-----------------------|------------------------|
| CUSTODY OF THE CHILD | | |
| In Observation Home/ Special Home/Place of Safety | Date of grant of bail | Sent under supervision |
| From....../...../..... to/...../..... | | |

| PROGRESS OF INQUIRY | |
|---|---------------------------------|
| Steps to be taken | Scheduled Date Actual Date |
| Day 1: Social Background Report by Police (in Form No. 1) | Dated..... |
| Day 1: Consideration of Bail | Dated..... |
| Day 2: Age determination | Dated..... |
| Day 2: SIR (Form No.6) by Probation Officer | Dated..... |
| Day 2: Section 173 CrPC Final Report by Police on completion of Investigation | Dated..... |
| Day 3: Submission of Report on Provisions of further investigation, if any | Dated..... |
| Day 3: Section 251 CrPC Notice | Dated..... |
| Day 4-6: Prosecution Evidence | Dated..... |

| | | |
|---|--------------------------|--|
| (From..... to.....) Depending on the number of witnesses continuous dates may be fixed) | Dated..... Dated..... | |
| Day 7: Statement of child under Section 281 CrPC | Dated..... | |
| Day 8: Defence Evidence | Dated..... | |
| Day 8: Individual Care Plan (In case of child in institutional care Individual Care Plan should be prepared within one month of admittance) | Dated..... | |
| Day 9: Final Arguments | Dated..... | |
| Day 10: Dispositional (Final) Order | Dated..... | |
| Day 11: Post Dispositional Review <ul style="list-style-type: none"> <input type="checkbox"/> Sponsorship <input type="checkbox"/> Schooling <input type="checkbox"/> Skill training <input type="checkbox"/> Health Services <input type="checkbox"/> Legal Support Services <input type="checkbox"/> Therapeutic Interventions <input type="checkbox"/> Sports and extra-curricular activities <input type="checkbox"/> Community service <input type="checkbox"/> Independent living skills <input type="checkbox"/> Linkage to government schemes | Dated..... | |

| | | |
|---|--|--|
| <input type="checkbox"/> Provision of identification documents <input type="checkbox"/> After-care programme | | |
|---|--|--|

Social Worker

Social Worker

Principal Magistrate

FORM 12

[Rule 12(2)]

QUARTERLY REPORT BY JUVENILE JUSTICE BOARD

District

Quarterly Report for the period: From..... to.....

Details of JJB

| S.No. | Details | Date of Appointment | Training attended |
|-------|----------------------|---------------------|-------------------|
| 1. | Principal Magistrate | | |
| 2. | Member 1 | | |
| 3. | Member 2 | | |

VISIT TO HOMES BY BOARD

Date of visit:

Name and Address of Home :

Remark:

Note- Attach Copies of all the reports of such visits

VISIT TO JAILS BY BOARD

Date of Visit:

Whether any children found:

Action taken:

Attach Copies of all the reports of such visits

| CASES INSTITUTED DURING THE QUARTER: | | | | |
|---|-------|---------|---------|-------|
| | PETTY | SERIOUS | HEINOUS | TOTAL |
| Number cases | | | | |
| Number of Children | | | | |
| Children granted bail | | | | |
| Children sent to Observation Home/Place of Safety/Special Home | | | | |
| Number of cases where Preliminary Assessment Reports were submitted in stipulated time (under Section 14(3)). | | | | |

| PENDENCY OF CASES | | | | | | | | |
|-------------------------------------|--------------------------|-----------------|--------------------------------|---------------------------------|--------------------------------------|---|-------------------------------------|--|
| Nature of case | Old cases | New cases | Disposal | Current pendency | | | | |
| | | | | Less than 4 months | 4 months to 6 months | 6 months to 1 year | More than 1 year | |
| Petty | | | | | | | | |
| Serious | | | | | | | | |
| Heinous | | | | | | | | |
| Total | | | | | | | | |
| FINAL ORDER | | | | | | | | |
| Total number of final orders passed | | | | | | | | |
| Discharged | Transferred to other JJB | Abated on Death | Repatriated to Foreign Country | Transferred to Children's Court | Declared Compounded & file consigned | Terminated under rule (post-produ | Acquitted/ Finding of commission in | Orders for rehabilitation under Section 18 |

| | | | | | | ction proce ss) | offence | |
|---|--|--|--|--|--|-----------------------|---------|---------------|
| | | | | | | | | |
| Nature of Dispositional Orders where child has committed Offence (mention the No. of orders) | | | | | | | | No. of orders |
| <p>(a) allow the child to go home after advice or admonition by following appropriate inquiry and counseling to such child and to his parents or the guardian;</p> <p>(b) direct the child to participate in group counseling and similar activities;</p> <p>(c) order the child to perform community service under the supervision of an organization or institution, or a specified person, persons or group of persons identified by the Board;</p> <p>(d) order the child or parents or the guardian of the child to pay fine: Provided that, in case the child is working, it may be ensured that the provisions of any labour law for the time being in force are not violated;</p> <p>(e) direct the child to be released on probation of good conduct and placed under the care of any parent, guardian or fit person, on such parent, guardian or fit person executing a bond, with or without surety, as the Board may require, for the good behaviour and child's well-being for any period not exceeding three years;</p> <p>(f) direct the child to be released on probation of good conduct and placed under the care and supervision of any fit facility for ensuring the good behaviour and child's well-being for any period not exceeding three years;</p> <p>(g) direct the child to be sent to a special home, for such period, not exceeding three years, as it thinks fit, for providing reformatory services including education, skill development, counseling, behaviour modification therapy, and psychiatric support during the period of stay in the special home</p> <p>(h) Orders that may be passed in addition to the above:</p> <p>(i) attend school; or</p> <p>(ii) attend a vocational training centre; or</p> <p>(iii) attend a therapeutic centre; or</p> <p>(iv) prohibit the child from visiting, frequenting or appearing at a specified place; or</p> <p>(v) undergo a de-addiction programme.</p> | | | | | | | | |

| COMPLAINTS RECEIVED AND ACTION TAKEN | | | |
|---|---------------------|--------------------------------|------------------|
| Date of Complaint | Nature of Complaint | Nature of action taken, if any | Whether resolved |
| | | | |
| | | | |
| | | | |
| | | | |

| SUGGESTIONS RECEIVED AND ACTION TAKEN | | | |
|--|----------------------|---------------------------------|---|
| Date of Suggestion | Nature of Suggestion | Whether suggestion was accepted | Action taken in pursuance of suggestion |
| | | | |
| | | | |
| | | | |
| | | | |

| ATTENDANCE AT CHILDREN'S COMMITTEE AND MANAGEMENT COMMITTEE MEETINGS | | | |
|---|---------------------------------------|------------------|-----------------|
| Nature of Meeting (Children's Committee/Management Committee) | Date of Meeting, and persons attended | Issues Presented | Decisions taken |
| | | | |
| | | | |
| | | | |
| | | | |

| | | |
|-----------------------------|------------------|------------------|
| Principal Magistrate | Member –1 | Member -2 |
|-----------------------------|------------------|------------------|

FORM 13

[Rule 16(1)]

PERIODIC FOLLOW UP REPORT OF A CHILD IN PLACE OF SAFETY

FIR No..... PS.....U/Sections

In the matter of vs.

Whereas (name of the child),age....., has on(date)
been found to be a child in conflict with law, and has been placed
in..... (Name of place of safety)

Date of admission to place of safety –/..../.....

Period of Review: From..... to.....

Name of the Child:

Sex [Male/Female/Transgender]:

Father's Name.....

Mother's Name.....

Date of admission.....

Next date of hearing.....

1. Case details and summary:

.....
.....
.....

2. Individual Care Plan (Attach a copy)

.....
.....
.....

3. Fortnightly progress made as per Individual Care Plan

.....

.....

.....

4. Development of new interests

.....

.....

.....

5. Psycho-social progress made by the child: (to be prepared with the help of a psycho-social expert)

.....

.....

.....

Name of expert:

Credentials of expert:

I. Mental Status Evaluation

- a. Appearance (Observed) - Possible descriptors: • posture, clothes, grooming.
- b. Behaviour (Observed) - Possible descriptors: • Mannerisms, gestures, psychomotor activity, expression, eye contact, ability to follow commands/requests, compulsions

- II. Attitude (Observed) - Possible descriptors: • Cooperative, hostile, open, secretive, evasive, suspicious, apathetic, easily distracted, focused, defensive.
- III. Level of Consciousness (Observed) - Possible descriptors: • Vigilant, alert, drowsy, lethargic, stuporous, asleep, comatose, confused, fluctuating.
- IV. Orientation (Inquired) – Possible questions: • “What is your full name?” • “Where are we at (floor, building, city, county, and state)?” • “What is the full date today (date, month, year, day of the week, and season of the year)?” • “How would you describe the situation we are in?”
- V. Speech and Language (Observed) A. Quantity - Possible descriptors: • Talkative, spontaneous, quiet
B. Rate - Possible descriptors: • Fast, slow, normal, pressured. C. Volume (Tone).
- VI. Mood (Inquired): A sustained state of inner feeling – Possible questions: • “How are you feeling?” • “Have you been discouraged/depressed/low?” • “Have you been energized/elated/high/out of control lately?” • “Have you been angry/irritable?”
- VII. Affect (Observed): An observed expression of inner feeling.
- VIII. Thought Processes or Thought Form (Inquired/Observed): logic, relevance, organization, flow and coherence of thought in response to general questioning during the interview. - Possible descriptors: goal-directed, circumstantial, loose associations, incoherent, evasive, perseveration.
- IX. Thought Content (Inquired/Observed)
- X. Suicidality- Assessment

- XI.** Homicidality – Assessment
- XII.** Insight (Inquired/Observed) –
- XIII.** Attention (Inquired/Observed) –
- XIV.** Feelings of guilt/ remorse: present/ absent

6. Details of the Rehabilitation Programme in the Place of Safety and the nature of the child's engagement with the same:

A. Current Profile of staff and other services providers providing rehabilitative services at the Place of Safety:

- (i) Number of sanctioned staff,
- (ii) Vacancies
Kindly attach resume and job description of each of the staff with supporting documentation.
- (iii) List of external experts, NGOs and fit facilities that the Place of Safety has built linkages with.

B. Nature of services available as part of Rehabilitation Program as required under Section 53(1):

- (i) basic requirements such as food, shelter, clothing and medical attention as per the prescribed standards;
- (ii) equipment such as wheel-chairs, prosthetic devices, hearing aids, braille kits, or any other suitable aids and appliances as required, for children with special needs;
- (iii) appropriate education, including supplementary education, special education, and appropriate education for children with special needs:

Provided that for children between the age of six to fourteen years, the provisions of the Right of Children to Free and Compulsory Education Act, 2009 shall 35 of 2009. apply;

- (iv) skill development;
- (v) occupational therapy and life skill education;
- (vi) mental health interventions, including counselling specific to the need of the child;
- (vii) recreational activities including sports and cultural activities;
- (viii) legal aid where required;
- (ix) referral services for education, vocational training, de-addiction, treatment of diseases where required;
- (x) case management including preparation and follow up of individual care plan;
- (xi) birth registration;

(xii) assistance for obtaining the proof of identity, where required; and

(xiii) any other service that may reasonably be provided in order to ensure the well-being of the child, either directly by the State Government, registered or fit individuals or institutions or through referral services.

7. Status of child's engagement with the current Rehabilitation Programme in the Place of Safety:

- Motivation for the programme.....
- Level of cooperativeness.....
- Regularity.....
- Quality of work/performance: (to attach progress reports from programme).....

8. Impact of institutionalization on the person.....

- (a) Peer Interaction.....
- (b) Staff interaction.....
- (c) Participation in activities.....
- (d) Health and hygiene.....
- (e) Any other observations.....

9. Approach to evaluation/ periodic follow ups.....

10. Willingness /ability to participate in treatment and rehabilitation in programs/facilities, consistent with public safety.

RECOMMENDATIONS (including whether the person may be released or released on conditions or requires further institutionalization with justification)

A: Recommendations for strengthening the institutional mechanism

B: Recommendations concerning the person:

DATE : / /
PLACE :
NAME :
DESIGNATION :
SIGNATURE :

Recommendations/Findings:

Signature / Seal

Prepared by:

(Probation Officer/...../.... (date)

[Rules 7 (1)(ii), 13 (8)(iv)(C)(cd), 17 (vi), 19 (20), 65 (3) (viii), 69 E(2), 69 I(4), 69J(1), 69J(3)]

REHABILITATION Chart

FIR No./Case No.:

U/Sections:

PS:

Nature of Offence: Heinous, Serious or Petty (*in case of child in conflict with law*)

Name of Probation Officer/Child Welfare Officer/Rehabilitation cum Placement Officer:

.....

Name of the child:

Age:

Sex [Male/female/Transgender]:

Father's name:

Mother's name:

Admission No.:

Date of Admission: / /

Date of Provisional Release / Release: / /

Services availed under Individual Care Plan –

| Indicators | Child's expectation from care and protection |
|---|---|
| First Month | Plan : Outcome : |
| Date: Name: Designation: Signed by JJB/ CWC | |
| | Plan : |

| | |
|---|---|
| Second Month | Outcome : |
| Date: Name: Designation: Signed by JJB/ CWC | |
| Third Month | Plan : Outcome : |
| Date: Name: Designation: Signed by JJB/ CWC | |
| Fourth Month | Plan : Outcome : |
| Date: Name: Designation: Signed by JJB/ CWC | |
| | Health and Nutrition |
| First Month | Plan : Outcome : |
| Date: Name: Designation: Signed by JJB/ CWC | |
| Second Month | Plan : Outcome : |

| | |
|---|---|
| Date: Name: Designation: Signed by JJB/ CWC | |
| Third Month | Plan : Outcome : |
| Date: Name: Designation: Signed by JJB/ CWC | |
| Fourth Month | Plan : Outcome : |
| Date: Name: Designation: Signed by JJB/ CWC | |
| Emotional and psychological support needed | |
| First Month | Plan : Outcome : |
| Date: Name: Designation: Signed by JJB/ CWC | |
| Second Month | Plan : Outcome : |
| Date: | |

| | | | |
|------------------------|-----------|--------------|--|
| Name: | | Designation: | |
| Signed by JJB/ CWC | | | |
| Third Month | Plan : | | |
| | Outcome : | | |
| Date: | | | |
| Name: | | Designation: | |
| Signed by JJB/ CWC | | | |
| Fourth Month | Plan : | | |
| | Outcome : | | |
| Date: | | | |
| Name: | | Designation: | |
| Signed by JJB/ CWC | | | |
| Education and Training | | | |
| First Month | Plan : | | |
| | Outcome : | | |
| Date: | | | |
| Name: | | Designation: | |
| Signed by JJB/ CWC | | | |
| Second Month | Plan : | | |
| | Outcome : | | |

| | |
|---|---|
| | |
| Date: Name: Designation: Signed by JJB/ CWC | |
| Third Month | Plan : Outcome : |
| Date: Name: Designation: Signed by JJB/ CWC | |
| Fourth Month | Plan : Outcome : |
| Date: Name: Designation: Signed by JJB/ CWC | |
| Leisure, creativity and play | |
| First Month | Plan Outcome |
| Date: Name: Designation: Signed by JJB/ CWC | |
| Second Month | Plan Outcome |

| | |
|--|---------------------------|
| Signed by JJB/ CWC | |
| Third Month | Plan Outcome : |
| Date: Name: _____ Designation: _____ Signed by JJB/ CWC | |
| Fourth Month | Plan Outcome : |
| Date: Name: _____ Designation: _____ Signed by JJB/ CWC | |
| Self Care and Life Skill Training for Protection from all kinds of abuse, neglect and maltreatment | |
| First Month | Plan Outcome : |
| Date: Name: _____ Designation: _____ Signed by JJB/ CWC | |
| Second Month | Plan Outcome : |

| | |
|---|---------------------------|
| | |
| Date: Name: Designation: Signed by JJB/ CWC | |
| Third Month | Plan Outcome : |
| Date: Name: Designation: Signed by JJB/ CWC | |
| Fourth Month | Plan Outcome : |
| Date: Name: Designation: Signed by JJB/ CWC | |
| | Independent living skills |
| First Month | Plan Outcome : |
| Date: Name: Designation: Signed by JJB/ CWC | |
| Second Month | Plan |

| | |
|---|---|
| | Outcome : |
| Date: Name: Designation: Signed by JJB/ CWC | |
| Third Month | Plan Outcome : |
| Date: Name: Designation: Signed by JJB/ CWC | |
| Fourth Month | Plan Outcome : |
| Date: Name: Designation: Signed by JJB/ CWC | |
| | Any other such as significant experiences which may have impacted the development of the child like trafficking, domestic violence, parental neglect, bullying in school etc. |
| First Month | Plan Outcome : |
| Date: Name: Designation: Signed by JJB/ CWC | |
| Second Month | Plan Outcome : |

| | |
|---|---------------------------|
| | |
| Date: Name: _____ Designation: _____ Signed by JJB/ CWC | |
| Third Month | Plan Outcome : |
| Date: Name: _____ Designation: _____ Signed by JJB/ CWC | |
| Fourth Month | Plan Outcome : |
| Date: Name: _____ Designation: _____ Signed by JJB/ CWC | |

Other services provided to the child, including compensation, other benefits etc.:

.....

Report of the detailed psychiatric assessment done by certified psychiatrist to be attached along with Rehabilitation card:

.....

Date of report and reason for conducting the said assessment (Provisional Release / Release/ Any other)

1. Overall progress shown by the child on the above mentioned aspects of the Individual Care Plan
2. Child's acceptance and understanding of his actions and its consequences.
3. Child's behaviour and conduct.
4. Whether child has engaged in any criminal activity during the rehabilitation period.

Signed by

JJB/ CWC

Form 14-A

[See proviso to rule 13-A (2)]

**REQUISITION FOR TEMPORARY ADMISSION OF CHILD IN CONFLICT WITH
LAW IN OBSERVATION HOME / PLACE OF SAFETY**

To

The Officer in Charge of the Observation Home/ Place of Safety,

Whereas (Name of the Child) Son/Daughter of aged
.....had been taken charge on at (time) from (place)

Please receive the said child and keep in your institution for night stay on/....../..... (date) until
or up to such time produced before the Juvenile Justice Board functioning at

I assure you that I shall take charge of the child and produce before the Board at its first sittings
of the Board immediately thereafter on/....../..... .(Date)

Reason for taking charge of the child with relevant provisions and a brief history of the incident:

Descriptive or Identification marks of the child.

1. --- 2. ---

Date

Name & Designation,
Signature of the CWPO/ Officer in
Charge of Police Station

FORM 15

[Rule 17 (1)(i)]

**CASE SUMMARY MAINTAINED BY THE CHILD WELFARE
COMMITTEE**

Case No.....

In Re.....

Case Record.....

1. Name of the child.....
2. Father's/Mother's/Guardian's name (if available).....
3. Date of production of the child.....
4. Location and circumstance of child's recovery.....
5. Name of person producing the child.....
6. A list of all follow up dates (of the child, before the Committee).....
7. Orders passed by the CWC (tick as applicable)
 - (i) Declaration that child is in need of care and protection.
 - (ii) Finding on age of child
 - (iii) Medical Examination
 - (iv) Interim custody
 - (v) Undertaking (by parent, guardian or fit person, if applicable)
 - (vi) Order appointing Case Worker & NGO etc
 - (vii) Order for compensation/recovery of wages (if applicable)
 - (viii) Transfer order
 - (ix) Final Order (concluding inquiry)
 - (x) Any other order.
8. Medical Records including but not limited to age verification.....
9. Details of counseling provided to child.....
10. Social Investigation Report under Form 22.....
11. Individual Care Plan under Form 7.....
12. Rehabilitation Card in Form 14.....
13. Case History Form 43.....
14. All details, documents and records with regards to Sponsorship/Foster Care/Adoption services (if applicable).

Date:

Place:

(Signatures)

Child Welfare Committee

FORM 16
[Rules 17(1)(v), 20(2)]
QUARTERLY REPORT BY CHILD WELFARE COMMITTEE

District

Quarterly Report for the period: From..... to.....

Details of CWC

| S.No. | Details | Date of Appointment | Training attended |
|-------|-------------|---------------------|-------------------|
| 1. | Chairperson | | |
| 2. | Member 1 | | |
| 3. | Member 2 | | |
| 4. | Member 3 | | |
| 5. | Member 4 | | |

Details of Cases with CWC

| S.No. | Number of cases at the beginning of Quarter | Number of cases received during the quarter | Number of cases disposed of during the quarter | Number of cases pending at the end of quarter | Reasons for pendency |
|-------|---|---|--|---|----------------------|
| | | | | | |

| FINAL ORDER | | | | | | | | |
|--|--------------------------|------------------------|--------------------------------|------------------------------------|--|-----------------------------------|--|--|
| Total number of final orders passed during the quarter | | | | | | | | |
| Released to parent/guardian/fit person/fit institution | Transferred to other CWC | Ordered to stay in CCI | Repatriated to Foreign Country | Declared legally free for adoption | Ordered for foster care / sponsorship/ Aftercare | Recommended to JJB for filing FIR | Recommendations with respect to offences committed against the child | Initiate process of compensation to child, if eligible |
| | | | | | | | | |

| COMPLAINTS RECEIVED AND ACTION TAKEN | | | |
|---|---------------------|--------------------------------|-------------------------------|
| Date of Complaint | Nature of Complaint | Nature of Action taken, if any | Whether complaint is resolved |
| | | | |
| | | | |
| | | | |

| SUGGESTIONS RECEIVED AND ACTION TAKEN | | | |
|--|-----------------------|--|---|
| Date of Suggestion | Details of Suggestion | Whether suggestion was accepted, and if not, then reasons for the same | Action taken in pursuance of suggestion, if any |
| | | | |
| | | | |
| | | | |

| ATTENDANCE AT CHILDREN'S COMMITTEE AND MANAGEMENT COMMITTEE MEETINGS | | | | |
|---|---|---------------------------------------|------------------|-----------------|
| Nature of Meeting | (Children's Committee/Management Committee) | Date of Meeting, and persons attended | Issues Presented | Decisions taken |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

VISIT TO HOMES BY CHAIRPERSON/ MEMBERS

Date of visit:

Name and Address of Home visited:

Remarks/Suggestions of the Committee.....

Signature of Chairperson

Seal

FORM 17
[Rules 18(2), 19(25)]

**REPORT TO BE SUBMITTED AT TIME OF PRODUCTION
OF CHILD BEFORE THE COMMITTEE**

Case No.....

Produced before the Child Welfare Committee.....

Date of production..... Time of production.....

Place of production.....

Part 1: Particulars of the Child

1. Details of person who is producing the child:

(i) Name of the person, including aliases, if any

(ii) Age.....

(iii) Sex [Male/Female/Transgender]:

(iv) Address/Place of last stay.....

Landmark near address/place of last stay

(v) Contact number.....

(vi) Occupation/ designation.....

(vii) Name of the organization/CCI/SAA/Individual

2. The child who is being produced:

(i) Name, including aliases, if any.....

(ii) Age (stated age/ age based on appearance)

(iii) Sex [Male/Female/Transgender]:

(iv) Identity mark/s.....

(v) Language(s) used by the child.....

3. Details of parents / guardians (if available):

(i) Name

(ii) Age.....

(iii) Address/place of last stay:

.....

Landmark near address/place of last stay:

(iv) Contact number:

(v) Occupation:

Part B: Case Particulars

4. Place where the child was found.....

5. Type of case: (Tick whichever is applicable)

☐ Child Labour ☐ Beggary ☐ Found Child ☐ Child Marriage

☐ Child Abuse ☐ Child custody ☐ Trafficked Child ☐ Surrendered Child

6. The details of the person (if any) with whom the child was found:

i. Name

ii. Age.....

iii. Address.....

iv. Contact number.....

v. Occupation.....

7. Circumstances under which the child was found.....

8. Allegation by the child of any offence/ abuse committed on the child in any manner.....

9. Physical condition of the child.....

10. Belongings of the child at the time of production.....

11. Date and Time at which the child came to the CCI/SAA.....

12. Immediate efforts made to trace family of the child, if any

13. Medical treatment, if provided to the child, if any

13. Whether police has been informed, within 24 hours

Signature/ Thumb impression of the child

Signature/ Thumb impression of the person who produced the child

Police-Local Police/Special Juvenile Police Unit/ designated child welfare police officer /
Railway

Police/Probation Officers/ any public servant/Social Welfare Organization/Social Worker/
Person in-charge

CCI/ SAA/ any citizen/Child himself/herself (fill as applicable)

FORM 18

[Rules 18(5), 18(9) and 19(26)]

**ORDER OF PLACEMENT OF A CHILD IN AN
INSTITUTION**

(Children's Home/Fit Facility/SAA)

Case No.....

To,

The Officer-in-Charge,

Whereas on theday of20 (name of the child)
....., son/daughter of agedresiding at
..... being in care and protection under the Juvenile Justice (Care and Protection)
Act 2015 is ordered by the Child Welfare Committee, to be kept in the
Children's Home/SAA/Fit Facility.....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/ Fit Facility /SAA..... for the aforesaid order to be
carried into execution according to law. The concerned official shall upload the details in case of
an orphan or abandoned child in the Track Child/ relevant Web Portal.

Given under my hand and the seal of Child Welfare Committee.

This day of

(Signature)

Chairperson/ Member

Child Welfare Committee

Encl: Copy of the orders, particulars of home and previous record, case history and individual
care plan, as applicable:

FORM 19
[Rule 18(8)]
ORDER FOR PLACEMENT OF CHILD UNDER THE CARE OF A PARENT,
GUARDIAN OR FIT PERSON PENDING INQUIRY

Case No. of 20....

In Re:

Whereas (name of the child) has on(date) been found to be in need of care and protection, and is 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.

Reason for the child being produced before the CWC:

.....

It is hereby ordered that the said child be placed under the supervision of (name)..... (address)..... for a period of This shall be 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 reside at for a period of
3. The child shall not be allowed to leave the state jurisdiction ofwithout the permission of the Committee.
4. The child shall go to school/ vocational training centre regularly that the child has been admitted to. The child shall attend(name of) school/ vocational training centre (if already identified) at(address of school/ vocational training centre).
5. The person under whose care the child is placed shall arrange for the proper care, education and welfare of the child.
6. Best efforts shall be taken to prevent the child from associating with undesirable characters and from coming in conflict with law.
7. Best efforts shall be taken to prevent the child from taking narcotic drugs or psychotropic substances or any other intoxicants.

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/ Member
Child Welfare Committee

NOTE: Additional conditions, if any may be inserted by the Child Welfare Committee

FORM 20
[Rule 18(8) and 19 (7)]
UNDERTAKING BY THE PARENT OR GUARDIAN OR 'FIT PERSON'

Iresident of House no..... Street.....
Village/Town.....District..... Statedoes 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. I shall do my best for the welfare and education of the said child as long as he remains in my charge and shall make proper provision for his maintenance.
2. In the event of his/her illness, he shall have proper medical attention in the hospital.
3. I agree to adhere to the conditions that may be imposed by the Committee from time to time and also to keep the Committee informed about the compliance with the conditions.
4. I undertake to produce him/her before the Committee as and when required.
5. I shall inform the Committee immediately if the child goes out of my charge or control.

Date thisday of.....

Signature
Signed before Child Welfare Committee

FORM 21
[Rule 19(3)]
**ORDER FOR SOCIAL INVESTIGATION REPORT OF CHILD IN NEED OF CARE
AND PROTECTION**

Case Number:

To

Child Welfare Officer/ Social Worker/Case Worker/ Probation Officer/ representative of Non-Governmental Organization

Whereas a report under section 31 (2) of the Juvenile Justice (Care and Protection of Children) Act, 2015 has been received from in respect of (name of the child)....., aged (approximate)....., son/daughter ofresiding at....., who has been produced before the Committee under section 31 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

You are hereby directed to conduct Social Investigation as per Form 22 for the above child. You are directed to enquire into socio economic and family background of the said child.

You are directed to submit the Social Investigation Report on or before..... (Date).

Dated thisday of20.....

(Signature)
Chairperson/Member
Child Welfare Committee

FORM 22

[Rule 19(8)]

**SOCIAL INVESTIGATION REPORT FOR CHILD IN NEED OF CARE AND
PROTECTION**

Case Number:

Sl. No.....

Produced before the Child Welfare Committee.....

Case No.....

Social Investigation Report Prepared by: Child Welfare Officer/ Social Worker/Case Worker/
Person in charge of Home/ representative of Non- Governmental Organization

Details of child in need of care and protection:

1. Name.....

2. Age/Date/Year of birth.....

3. Sex [Male/Female/Transgender]:

4. Caste.....

5. Religion.....

6. Father's Name.....

7. Mother's Name

8. Guardian's Name.....

9. Permanent Address or Place of Stay.....

Landmark of the address or Place of Stay.....

10. Contact no. of father/mother/family member.....

11. Whether the child is with disability:

- (i) Physical disability:
 - (a) Locomotive Disability
 - (b) Visual Impairment
 - (c) Hearing Impairment
 - (d) Speech and language disability
- (ii) Intellectual disability
- (iii) Mental illness, (collect copies of medical reports, if any)
- (iv) Others (please specify)

12. Family Details:

| S.No (1) | Name and Relationship (2) | Age (3) | Sex (4) | Education (5) | Occupation (6) | Income (7) | Health status (8) | History of Mental Illness (if any) (9) | Addictions (if any) (10) |
|-------------|---------------------------------|------------|------------|------------------|-------------------|---------------|-------------------------|---|--------------------------------|
| | | | | | | | | | |

13. Relationship among the family members:

| | |
|---|---------------------------------|
| i. Father & mother | Cordial/ Non cordial/ Not known |
| ii. Father & child | Cordial/ Non cordial/ Not known |
| iii. Mother & child | Cordial/ Non cordial/ Not known |
| iv. Father & siblings | Cordial/ Non cordial/ Not known |
| v. Mother & siblings | Cordial/ Non cordial/ Not known |
| vi. Child & siblings | Cordial/ Non cordial/ Not known |
| vii. Child & grandparents (paternal/maternal) | Cordial/ Non cordial/ Not known |

14. If child is married, name, age and details of spouse and children.....

15. History of involvement of family members in offences, if any:

| S. No. | Relationship | Nature of Crime | Legal status of the case | Arrest if any made | Period of confinement | Punishment awarded |
|--------|--------------|--------------------|--------------------------------|-----------------------|--------------------------|-----------------------|
| 1. | Father | | | | | |
| 2. | Step father | | | | | |
| 3. | Mother | | | | | |
| 4. | Step mother | | | | | |
| 5. | Brother | | | | | |

| | | | | | | |
|----|--|--|--|--|--|--|
| 6. | Sister | | | | | |
| 7. | Others (uncle/ aunty/ grandparents) | | | | | |

16. Present living conditions

17. Other factors of importance if any.....

18. (i) Habits of the child (*Tick as applicable*)

A

| |
|---|
| a) Smoking b) Alcohol consumption c) Drug use (specify) d) Gambling e) Any Other |
|---|

B

| |
|---|
| a) Watching TV/movies b) Playing indoor/ outdoor games c) Reading books d) Religious activities e) Drawing/painting/ acting/singing f) Any Other |
|---|

ii) Extra-curricular interests:

iii) Outstanding characteristics and personality traits:

19. The details of education of the child:

i) Never attended school

ii) Studied up to V Standard

iii) Studied above V Standard but below VIII Standard

iv) Studied above VIII Standard but below X Standard

v) Studied above X Standard

20. The details of the school in which studied last(tick as applicable) :

a. Corporation/Municipal/Panchayat

b. Government/SC Welfare School/BC Welfare School

c. Private management

d. School under NCLP

21. Child's opinion of Attitude of teachers and classmates towards the child:

22. The reason for leaving School (tick as applicable)

- i) Failure in the class last studied
- ii) Lack of interest in the school activities
- iii) Indifferent attitude of the teachers
- iv) Peer group influence
- v) To earn and support the family
- vi) Sudden demise of parents
- vii) Bullying in school
- viii) Rigid school atmosphere
- ix) Absenteeism followed by running away from school
- x) There is no age appropriate school nearby
- xi) Abuse in school
- xii) Humiliation in school
- xiii) Corporal punishment
- xiv) Medium of instruction
- xv) Physical abuse
- xvi) Alcohol or drug abuse
- xvii) Others (pl. specify)

23. Vocational training, if any.....

24. Employment Details, if any.....

25. Details of income utilization.....

26. Work record (reasons for leaving vocational interests, attitude towards job or employers).....

27. Majority of the friends are (tick as applicable)

- a) Attending school

- b) Not attending school
- c) The same age group
- d) Older in age
- e) Younger in age
- f) Same sex
- g) Opposite sex
- h) Addicts
- i) With criminal background

28. Attitude of the child towards friends.....

29. Attitude of friends towards the child.....

30. Observation about neighborhood (to assess the influence of neighborhood on the child).....

31. Mental condition of the child: (Present and past):

.....

32. Physical condition of the child: (Present and past).....

.....

33. Health status of the child

- i. Respiratory disorders - present / not known / absent
- ii. Hearing impairment - present / not known / absent
- iii. Eye diseases- present / not known / absent
- iv. Dental disease- present / not known / absent
- v. Cardiac diseases- present / not known / absent
- vi. Skin disease-present / not known / absent
- vii. Sexually transmitted diseases- present / not known / absent
- viii. Neurological disorders- present / not known / absent
- ix. Mental disability- present / not known / absent
- x. Physical disability- present / not known / absent
- xi. Urinary tract infections –present / not known / absent

xii. Others (pl. specify) -

34. Whether the child has any addiction: Yes/ No

If yes, specify nature of addiction:

35. With whom the child was staying prior to production before the Committee

(i) Parent(s) – Mother / Father / Both

(ii) Siblings / Blood relative

(iii) Guardian(s) – Relationship

(iv) Friends

(v) On the street

(vi) Night shelter

(vii) Orphanages / Hostels/ Similar Homes

(viii) Other (pl. specify)

36. History/ tendency of the child to run away from home, if any.....

37. Parents attitude towards discipline in the home and child's reaction.....

38. Reasons for leaving the family (tick as applicable)

(i) Abuse by parent(s)/guardian(s)/step parents(s)

(ii) In search of employment

(iii) Peer group influence

(iv) Incapacitation of parents

(v) Criminal behavior of parents

(vi) Separation of Parents

(vii) Demise of parents

(viii) Poverty

(ix) Others (please specify)

39. Whether the child is a victim of any offence Yes/No

40. Types of abuse met by the child (tick as applicable)

(i) Verbal abuse – parents/siblings/ employers/others (pl. specify)

(ii) Physical abuse

- (iii) Sexual abuse parents/siblings/ Employers/others (Pl. specify)
- (iv) Denial of food – parents/siblings employers/other (pl. specify)
- (v) Beaten mercilessly –parents/ Siblings/employers/other (pl. specify)
- (vi) Causing injury –parents/ siblings/employers/other (pl. specify)
- (vii)Detention -parents/ siblings/employers/other (pl. specify)
- (viii) Other(please specify)_____parents/siblings/employers/others(pl. specify)

41. Exploitation faced by the child:

- i) Extracted work without payment
- ii) Little (low) wages with longer duration of work
- iii) Others (pl. specify)

42. Whether the child has been bought or sold or procured or trafficked for any purpose Yes/ No

43. Whether the child has been used for begging Yes/ No

44. Whether the child is used by any gangs or adults or group of adults or has been used for drug peddling. Yes/ No

45. Previous institutional/case history and individual care plan, if any:.....

46. Details of perpetrator: (such as Name, Age, Contact number, Address details, Physical Characteristics,

Relationship with the family, middle men involved, is there any other child from the same village who is abused / harassed / taken / sent by the perpetrator, how the child came in contact with the perpetrator).....

.....

47. Attitude of the child towards the perpetrator.....

48. Whether the police have been informed.....

49. Action taken, if any against the perpetrator.....

50. Any other remark.....

OBSERVATIONS OF INQUIRY

1. Emotional factors.....

2. Physical condition.....

3. Intelligence.....

4. Social and economic factors.....

5. Suggestive causes of the problems.....

6. Analysis of the case:

7. Reasons for child’s need for care and protection.....

8. Opinion of experts consulted:

 i. Name of expert:

 Designation, Qualification and Experience:

 Contact Details:

 Summary of opinion (copy of opinion attached)

 ii. Name of expert:

 Designation, Qualification and Experience:

 Contact Details:

 Summary of opinion (copy of opinion attached)

 iii. Name of expert:

 Designation, Qualification and Experience:

 Contact Details:

 Summary of opinion (copy of opinion attached)

9. Cultural factors.....
10. Risk analysis for the child to be restored to the family
11. Previous institutional/case history and individual care plan, if any:.....
12. Recommendation of Child Welfare Officer/Case Worker/Social Worker regarding psychological support, rehabilitation and reintegration of the child and suggested plan.....

Signature

(Of the Person assigned)

FORM 23
[Rule 19(22)]
APPLICATION FOR SURRENDER OF CHILD

Date

To

Child Welfare Committee,
District.....

I/ We.....(name of the applicant/s)(relation with the child)
of.....(name of the child), aged about.....years , intend to
surrender.....name of child) before this Child Welfare Committee
as.....(reason/s for surrender).

I/we am /are fully conscious and making this application before this Child Welfare Committee. I have not been forced or unduly influenced by any one to take this decision of surrendering..... (name of child). I shall have no objection if the child is given in adoption. I am fully aware of the consequences of surrendering the child.

Full signature of the applicant(s)/

Thumb impression (if the CWC deems appropriate)

Name and address.

.....
.....
.....

(Signature of the Chairperson/ member

Before whom such application is submitted)

Committee member/s present:_____

Date:/....../.....

Time.....

Place.....

FORM 24

[Rule 19(22)]

DEED OF SURRENDER

Case No.....

In Re.....

1. I/We, the undersigned..... (Family name/First name(s)) residing at , surrender my/our child(ren) (named) Aged....., having date of birth on our own and without any coercion, compulsion, threat, payment, consideration, compensation of any kind;

2. I/we have been counselled and informed:

(a) about the implication that I/we can withdraw our consent until 60th day of this surrender deed after which my/our consent will be irrevocable and I/we shall have no claim over the child or children.

(b) have been made aware of the implications of surrender and are conscious of the fact that after the 60th day from date of the surrender deed, the legal parent-child relationship between my/our child or children and me/us will be terminated.

(c) understand that my/our child may be adopted by person(s) residing in India or abroad and give my/our consent for this purpose.

(d) understand that the adoption of my/our child will create a permanent parent-child relationship with the adoptive parent(s) and then cannot claim back the child.

3. I/we wish/do not wish (please tick whichever is applicable) my/our identity and address to be disclosed to my/our child when he/she returns for root search.

4. I/we declare that I/We have read the above statements carefully and have fully understood the same.

Done at on.....

Signature or Thumb Impression of surrendering person(s)

5. Declaration by Witnesses

We the undersigned have witnessed the above surrender.

(a) Signature, Name and Address of the first witness

.....

.....

(b) Signature, Name and Address of the second witness

.....

.....

6. Certification of child welfare committee We hereby certify that the person and the witness(es) named or identified above appeared before me this date and signed this document in our presence.

Done at on.....

FORM 25

[Rule 23 (2)(xix), 24(11)]

CERTIFICATE DECLARING THE CHILD LEGALLY FREE FOR ADOPTION

1. In exercise of the powers vested in the Child Welfare Committee.....under section 38 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (2 of 2016), child..... date of birth.....placed in the care of the Specialized Adoption Agency/Child Care Institution(name and address) vide order nodated.....of this Committee, is hereby declared legally free for adoption on the basis of the following:

Inquiry report of the Probation Officer/ Child Welfare Officer / Social Worker / Case Worker/any other (as the case may be);

Deed of surrender executed by the biological parent(s) or the legal guardian of the child before this Committee on (date);

Declaration submitted by District Child Protection Unit and the Child Care Institution or Specialized Adoption;

Agency concerned to the effect that they have made restoration efforts as required under sub section (1) of section 40 of the Act, the rules framed there under and the Adoption Regulations, but, nobody has approached them for claiming the child as biological parents or legal guardian as on date of the said declaration;

Consent of older child, in case applicable.

2. This is to certify that:

The biological parent(s)/legal guardian, wherever available, has/have been counseled and duly informed of the effects of their consent including the placement of the child or children in adoption which would result in the termination of the legal relationship between the child and his or her family of origin.

The biological parents/legal guardian have given their consent freely, in the required form, and the consent have not been induced by payment or compensation of any kind and the consent of the mother (where applicable), has been given only after the birth of the child.

The Specialized Adoption Agency/Child Care Institution to which the aforesaid child is entrusted shall arrange to post the photograph and other essential details of the child in the Child Adoption Resource Information and Guidance System and shall place such child in adoption as per the procedure laid down in the Act and Adoption Regulations.

[Note: strike out the box(es) which are not relevant to the case]

[Note: Only one certificate may be issued in case of siblings or twins stating the relationship.]

[Note: To facilitate adoption in the best interest of the child, the Specialized Adoption Agency or District Child Protection Unit concerned, as the case may be, is permitted to post the profile of the child, including photograph, Child Study Report, Medical Examination Report and this certificate in the Child Adoption Resource Information and Guidance System]

[Photograph of the child]

Child Welfare Committee

Date and Place

Signature of any three members

Date and Stamp

To: Specialised Adoption Agency/District Child Protection Unit - to post this certificate in Child

Adoption Resource Information and Guidance System (CARINGS).

Copy to: District Child Protection Officer (DCPO), Name of the District.

FORM 26

[Rule 20(1)]

CASE MONITORING SHEET FOR COMMITTEE

CASE MONITORING SHEET

(Separate Sheet may be used in case there are more than one child)

Child Welfare Committee, District.....

Case No.of.....

Case Name:

| | |
|--------------------------------|----------------------|
| Police Station | Date..... |
| U/S..... | FIR/ GD/ DD No. |
| Name of Probation Officer..... | Name of IO |

PARTICULARS OF CHILD

| Name | Parents/ Guardian with Contact No. | Present address | Permanent address |
|------|---------------------------------------|-----------------|-------------------|
| | | | |

| | | |
|--|-----------|---------|
| DATE AND TIME CHILD PRODUCED BEFORE THE COMMITTEE | | |
| DATE AND TIME OF FIRST PRODUCTION | | |
| DATE OF MEDICAL EXAMINATION UNDER SECTION 54 Cr.P.C. (if any) | | |
| AGE DETERMINATION | | |
| Age on Date of First Production | | |
| Date of age Determination: | | |
| Time taken for age determination: | | |
| Determination by | Committee | |
| Evidence Relied: | Documents | Medical |

| | |
|---|---|
| PLACEMENT OF THE CHILD | |
| In Children's Home/Fit Person | Sent under supervision (Name of Institution) |
| From/...../..... to/...../..... | |

PROGRESS OF ENQUIRY

| Steps to be taken | Scheduled Date | Actual Date |
|---|----------------|-------------|
| Age determination | Dated..... | |
| Social Investigation Report (Form No.22) | Dated..... | |
| Submission of Report on Provisions of further investigation, if any | Dated..... | |
| Statement of Child | Dated..... | |
| Individual Care Plan (In case of child in institutional care Individual Care Plan should be prepared within one month of admittance) | Dated..... | |
| Dispositional (Final) Order | Dated..... | |
| Post Dispositional Review | Dated..... | |

Signed by
Child Welfare Committee

[Rule 21(2) and 22(2)]

**APPLICATION FOR REGISTRATION OF CHILD CARE INSTITUTION
UNDER THE JUVENILE JUSTICE (CARE AND PROTECTION OF
CHILDREN) ACT, 2015**

1. Detail of Applicant/ Institution which proposes to run the Child Care Institution:

- (i) Type of Institution [Government/Non-government]:
- (ii) Name of the Institution / Organization.....
- (iii) Registration number and date of Registration of the Institution/ Organization under the relevant Act (Annex- Relevant documents of registration and bye-laws, memorandum of association).....
- (iv) Period of validity to run the Institution / Organization.....
- (v) Complete address of the Applicant/ Institution/ organization.....
- (vi) STD code/ Telephone No.....
- (vii) STD code/ Fax No:
- (viii) E-mail address.....
- (ix) Whether the organization is of all India character, if yes, give address of its branches, in other states.....
- (x) Whether the Institution/ Organization had been denied registration earlier?
- (xi) Ref. No. of application which resulted in denial of registration as CCI
 - a) Date of denial.....
 - b) Which department has denied the registration.....
- (xii) Reason for denial of registration as CCI.....

2. Details of the proposed Child Care Institution

- (i) Name of the proposed Child Care Institution.....
- (ii) Type/Kind of Child Care Institution.....
- (iii) Complete address/ location of proposed child Care Institution or organization
- (iv) STD code/ Telephone No.....
- (v) STD code /Fax No.....
- (vi) E-mail address.....

3. Connectivity (Name and Distance from the proposed Child Care Institution):

- (i) Main Road.....
- (ii) Bus –stand.....
- (iii) Railway Station.....
- (iv) Any landmark.....

4. Infrastructure

- (i) No. of Rooms (Mention with measurement).....
- (ii) No. of toilets (mention with measurement).....
- (iii) No. of Kitchen (mention with measurement)
- (iv) No. of sick room.....
- (v) Annex -Copy of blue print of the building (authentic sketch plan of building)...
- (vi) Arrangement to deal with unforeseen disaster also mention the kind of arrangement made:
 - (i) Fire
 - (ii) Earthquake
 - (iii) Any other arrangement
 - (iv) Arrangement of Drinking water
 - (v) Arrangement to maintain sanitation and hygiene:
 - (vi) Pest Control
 - (vii) Waste disposal
 - (viii) Storage area
 - (ix) Any other arrangement
 - (x) Rent agreement/ building maintenance estimate (whichever is applicable)(Annex- copy of Rent agreement)

5. Capacity of the Institution/ Organization

- i.No. of children (0-6 years) present in the home , (if any)
- ii.No. of children (6-10 years) present in the home , (if any)
- iii.No. of children (11-15 years) present in the home , (if any)
- iv.No. of children (16-18 years) present in the home , (if any)
- v.No. of persons (18-21 years) present in the home , (if any)

6. Whether the Child Welfare Committee/Juvenile Justice Board has been informed about the children being housed in the Institution? Yes/ No

7. Facilities Available

- (i) Education facility.....
- (ii) Health Checkup arrangement, frequency of checkup, type of checkups proposed to be done.....
- (iii) Any other facility that shall impact on the overall development of the child

8. Staffing

- (i) Detailed staff list.....
- (ii) Education and Experience of the staff
- (iii) Name of partner organizations
- (iv) Name of the chief functionary of the organization

9. Background of the Applicant (Institution / Organization)

- (i) Major activities of the organization in last two years
 - a. (Annex copy of Annual Report)
- (ii) An updated list of members of the management committee/ governing body in the enclosed format (Annex- resolution of the annual meeting)
- (iii) List of assets/ infrastructure of the organization
- (iv) If the organization registered under the Foreign Contribution (Regulation) Act, 1976 (Annex – certificate of registration)
- (v) Details of foreign contribution received during the last two years (Annex- relevant documents)
- (vi) List of other sources of grant- in – aid funding (if any)with the name of the scheme / project , purpose amount, etc. (separately)
- (vii) Details of existing bank account of the agency indicating branch code account no.
- (viii) Whether the agency agree to open a separate bank account for the grant proposed
- (ix) Annex -Photocopy of Accounts of last three years:

| | |
|------|------------------------------------|
| i. | Auditors report |
| ii. | Income and expenditure account |
| iii. | Receipt and payment account |
| iv. | Balance sheet of the organization. |

I have read and understood The Juvenile Justice (Care and Protection of Children) Act, 2015 and the Juvenile Justice (Care and Protection of Children) Rules, 2016.

I declare that no person associated with the organization has been previously convicted or has been involved in any illegal act or in any act of child abuse or employment of child labour and that the organization has not been blacklisted by the Central or the State Government at any point of time.

.....(Name of the Organization / Institution) has complied with all the requirements to be granted registration as a Child Care Institution under the Juvenile Justice (Care and Protection of Children) Act, 2015 and The Juvenile Justice (Care and Protection of Children) Rules, 2016.

I undertake to abide by all the conditions laid down by the Central/ State Act, Rules, Guidelines and Notifications in this regard.

Signature of the authorized signatory:

Name:.....

Designation:.....

Address.....

District.....

Date.....

Office stamp:

Signature of:

Witness no.1:

Witness no.2:

FORM 28

[Rule 21(3) and 22(4)]

**CERTIFICATE OF REGISTRATION
(UNDER SECTION 41 THE JJ ACT)**

After perusal of the documents submitted as per Form 27 is granted registration
No.....as a Child Care Institution under Section 41(1) of the Juvenile Justice (Care
and Protection of Children) Act, 2015 with effect from..... for a period ofyears.

The Institution which has the capacity of..... Children shall remain bound to follow
the Juvenile Justice (Care and Protection of Children) Act, 2015, the Juvenile Justice (Care
and Protection of Children) Rules, 2016 and regulations framed by the Central/ State
Government from time to time.

Dated this day of 20

(Signature)

Seal

Name and Designation

FORM 29
[Rule 22(9)]

MONTHLY REPORT SUBMITTED BY OPEN SHELTER TO DCPU

1. Name of the Open Shelter.....
2. Name of the In charge
3. Registration No.....
4. Address of the Home.....
5. Period of the Report.....
6. Details of children available on

| S. No | Name of child | Father's name | Mother's name | Address of the Child, if available | Date of first admission | Reason for admission | Duration of stay | Facilities availed | Produced before CWC (Yes / No) | Remarks, if any |
|-------|---------------|---------------|---------------|------------------------------------|-------------------------|----------------------|------------------|--------------------|--------------------------------|-----------------|
| | | | | | | | | | | |
| | | | | | | | | | | |

7. Total number of children admitted during the month.....
8. Total number of children in the Open Shelter on the last day of the month.....
9. Total number of children who availed the facilities of the Open Shelter during the month.....
10. Out of these the number of children who availed the services only during the day in the month:

Signature
In charge of the Open Shelter Home

FORM 30

[Rule 23(9)]

HOME STUDY REPORT FOR PROSPECTIVE FOSTER PARENTS

Replace with Form in Foster care Guidelines

DATE OF REGISTRATION-

AADHAR CARD NO of PFP-

NAME OF THE SOCIAL WORKER-

DATE OF HOME VISIT-/...../.....

Part-I of the format shall be filled up by the prospective Foster parents and **Part-II** of the template shall be filled up by the Social Worker to submit an assessment report along with his/her observation about suitability of the prospective adoptive/ foster parents.

PART-I : SELF ASSESSMENT

A. Information about the prospective foster parents and their family background

| | |
|---|--|
| Particulars of the foster parents | |
| Full Name | |
| Date of birth & age | |
| Place of birth | |
| Complete Address with e-mail ID (Present & Permanent Address) | |
| Identity Proof | |
| Religion | |
| Language(s) | |
| Present Educational Qualification | |
| Employment/occupation | |
| Name & Address of the present Employer/Business concern | |
| Annual Income | |
| Health Status | |

B. Family background information:

- (1) Give a short description of social status and background of the prospective foster parents along with the following information.

| Details about Parents of the Applicants | | |
|--|---------------|---------------|
| | Father | Mother |
| Name in full | | |
| Age | | |
| Occupation | | |
| Previous occupation | | |
| Presently residing with | | |

- (2) Please complete the following table with the names of each of your respective children (adopted and biological), their sex, educational status (kindergarten, elementary, etc.) and dates of birth.

| Name of the Child | Sex | Date of Birth | Educational Status |
|--------------------------|------------|----------------------|---------------------------|
| | | | |
| | | | |

- (3) If there are other members residing, please furnish the following information in respect of them.

| Name | Nature of Relationship | Age | Gender | Occupation |
|-------------|-------------------------------|------------|---------------|-------------------|
| | | | | |
| | | | | |

- (4) Please describe how you believe the foster care would affect the family members (grand parents, children, relatives and others).

C. Professional/Employment Details (Professional career details for last 5 years):

| Foster Father | | | | |
|----------------------|--|------------------|-------------|-----------|
| Organisation | Employer Details (Name & Address) | Job Title | From | To |
| | | | | |

| | | | |
|---------------|--------------------------------------|-----------|---------|
| Foster Mother | | | |
| Organisation | Employer Details (Name & Address) | Job Title | From To |
| | | | |

D. Financial Position: (Give a short description of your income from all sources such as savings, investments, expenditures and liabilities and debts along with supporting documents).....

E. Description of Home and Neighbourhood: (Describe the accommodation details and neighbourhood relationship)

- (1) How many rooms do you have in your home and describe the play area available for the child.....
- (2) Please describe the neighbourhood in which you reside, including any aspect that you believe makes it child-friendly.....

F. Attitude and Motivation for foster care:

(1) Please circle the term which best describes the reason why you wish to take a child in foster care, you may circle more than one option, if applicable:

- a) Provide a companion to your other children;
- b) Provide a child with a happy home;
- c) Other, please specify

(2) Please circle the statement which describes how you think the foster care arrangement will improve the lives of your other children, you may circle more than one, if applicable:

- a) They will be less lonely;
- b) They will learn to be more accommodating;
- c) They will become more empathetic;
- d) Not applicable as I have no other children;
- e) Other, please specify _____

G. Attitude of grandparents/extended family members, other relatives and significant others towards the foster care: (Give a short description about the opinion of other important persons towards foster care who would have impact in the child rearing process).....

H. Anticipated Plans of the prospective foster parents for the child and rearing in the Family:

- (1) Please describe how you will manage caring for the child and other life commitments such as work.
- (2) Who will be responsible for caring for the child when you are at work, or absent from the familial home (domestic help, grandparents, spouse).
- (3) Please describe your disciplinary approach to parenting.
- (4) In case the foster child demonstrates adjustment difficulties, please describe the steps that you plan to take to ease his/her transition into the family?
- (5) Would you be prepared to utilize family counselling if the child continues to have difficulties adjusting? ☐ Yes ☐ No

I. Preparation and Training: (Give details about the counselling sessions the prospective foster parent(s) have undergone on foster care, child care, handling of needs of children, etc. and their capacity, training and/or experiences in parenting children with their special need, if any)

J. Health Status (Emotional and Physical): (Give details of the state of emotional and physical health status of the applicant(s), if any. If a family member suffers from a particular disease, condition or syndrome, describe how the family copes with it and how this might affect any proposed foster care.)

- (1) Do you or your spouse suffer from any medical condition? If so, would you please provide details? ☐ Yes ☐ No
- (2) Are you or your spouse currently being treated by a psychologist or psychiatrist?
- (3) Are you currently taking any prescribed medication? ☐ Yes ☐ No
- (4) Are there currently any child/ren in your house being treated for a medical condition?
- (5) Does your family have health and hospitalization insurance coverage for all family members? ☐ Yes ☐ No

Signature of the Prospective Foster Parents

Date: / /

PART-II: ASSESSMENT REPORT OF THE SOCIAL WORKER

(To be used by the Social Worker to prepare the assessment report)

(The information/facts filled in the template shall be kept confidential by the agencies /authorities.)

1. Factual Assessment:

- (i) Have you verified the contents of the facts mentioned in Part I of the template?
- (ii) Are you satisfied about the facts mentioned in the documents vis-à-vis observation during interviews and visits?

2. Psychosocial Assessment:

2.1 Interaction with the prospective foster parents

- (i) Have you interacted with the prospective foster parents individually and jointly?
- (ii) Are the prospective foster parents well prepared for fostering the child?

2.2 Home visit findings

- (i) When did you visit the home of the prospective foster parents? Who were the members present during your visit?
- (ii) Whom did you interact during the home visit?
- (iii) Have you met any neighbour/relative? Give a detailed description about the interaction?
- (iv) Whether the home environment is conducive for the child? (Give reasons for your answer)
- (v) Are the prospective foster parents well prepared for foster care?

- (vi) Did the prospective foster parents have any doubt about parenting issues or any other issues? Have you cleared their doubts?

2.3 Interaction with the family members

- (i) Have you interacted with other family members of the prospective foster parents? What is their opinion about the proposed foster care? Are they positive about the foster care arrangement?
- (ii) Are there any other family member(s) whom you could not interact but they might have a larger role in the proposed foster care? If so, how did you interact? Would you plan to take their views?
- (iii) Have you interacted with older child/ren present in the home of the prospective foster parents? If yes, please give details.
- (iv) Have you noticed any adverse remarks from the family members? If so, how far those remarks may have an impact on the foster care process?

2.4 Financial capacity

- (i) What is your opinion about the financial status of the prospective foster parents? Are they financially sound to welcome another member into their family?
- (ii) Have you observed any financial situation which is hidden in the template?
- (iii) Would you recommend any financial assistance to them?

2.5 Physical and emotional capacity

- (i) Are the prospective foster parents in a good physical and emotional state to take care of a child?
- (ii) Have you observed any physical or psychological issues with the prospective foster parents or any other family members that is going to affect the life of the upcoming child? If so, give details.

- (iii) Are the prospective foster parents emotionally equipped enough to take care of a child?

3. Recommendation for Foster care

3.1 Do you recommend the prospective foster parents for foster care? Put your views and rationale for recommending the prospective foster parents for foster care.

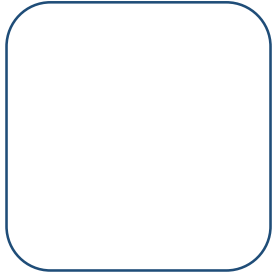
3.2 In case, you do not recommend the prospective foster parents for foster care, cite appropriate reasons for taking such decision.

Signature, name, designation and official seal

FORM 31

[Rule 23(4)]

CHILD STUDY REPORT FOR CHILD IN FOSTER CARE

| <u>CHILD STUDY REPORT</u> | | |
|----------------------------------|--|--|
| S. No. | Item | Response |
| 1. | Case number of child from 1 st referral | |
| 2. | Date of Assessment | |
| 3. | Date of Individual Care Plan | |
| 4. | Source of Referral | |
| 5. | Photograph of the Child to be refreshed periodically |  |

| <i>Profile of the Child</i> | | |
|-----------------------------|---|--|
| 4 | Name of the Child | |
| 5 | Date of Birth | |
| 6 | Place of Birth | |
| 7 | Age | |
| 8 | Nationality | |
| 9 | Religion | |
| 10 | Education | |
| 11 | Languages Spoken by Child | |
| 12 | Present Address | |
| 13 | Aadhaar Card Number | |
| 14 | Contact Details a) Landline b) Mobile | |
| 15 | Placement history if the child is from institution a) Date of Placement b) Name and Permanent details | |

| | | |
|----|--|--|
| | of the child c) Reason for leaving the family | |
| | Child has been declared legally free for adoption, but not been placed | |
| | Name of the Institution where the child is currently residing | |
| 16 | Reason for placement if the child is from community | <p>Mother or both parents in prison <input type="checkbox"/></p> <p>Parents are suffering from long-term illness <input type="checkbox"/></p> <p>Dysfunctional family(eg substance abuse, domestic violence etc) <input type="checkbox"/></p> <p>Parents in process of separation <input type="checkbox"/></p> <p>Parents in process of legal custody dispute <input type="checkbox"/></p> <p>Natural disaster <input type="checkbox"/></p> <p>Others <input type="checkbox"/></p> |

I Social Worker hereby certify that the information given in this form about childis correct.

Signature

Place :

Name:

Date :

Designation:

FORM 32

[Rule 23(15)]

**ORDER OF FOSTER CARE PLACEMENT WITH A FAMILY
OR
GROUP FOSTER CARE**

The child (name and address)approximate age..... d/o or s/o
Mr..... and Mrs.....is in need of care and protection of a family.
Mr..... and Mrs.....resident of (complete address and contact numbers)
.....are declared fit for foster-care placement of the child
after considering the Individual Care Plan, Child Study Report and Home Study Report.

OR

Group Foster Care Home (Name and address).....is declared fit for
foster-care placement of the child after considering the Individual Care Plan and Child Study
Report.

The child (name) is placed in foster care for a period of
..... under the supervision of the aforesaid Child Welfare
Officer/Social Worker (name and contact)

Chairperson/ Member

Child Welfare Committee

FORM 33
[Rule 23(16)]
UNDERTAKING BY THE FOSTER FAMILY/GROUP FOSTER CARE
ORGANISATION

I/Weresident(s) of House no.Street
Village/TownDistrictState/ care giver associated with
foster care home run by organization at(address), do hereby declare
that I/We am/are 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:

- i. If the conduct of the child is unsatisfactory I/we shall at once inform the Committee
- ii. I/We shall do my/our best for the welfare and education of the said child as long as he remains in my charge and shall make proper provision for his maintenance.
- iii. In the event of his illness, he shall have proper medical attention in the nearest hospital and a report of it followed by a fitness certificate shall be submitted before the Committee.
- iv. I/We shall inform the Committee about any change of address.
- v. I/We shall do my best to ensure that the child will not be subjected to any form of abuse, neglect or exploitation.
- vi. I/We agree to adhere to the conditions laid by the Committee.
- vii. I/We undertake to produce the child before the Committee as and when required.
- viii. I/We undertake to inform the Committee immediately if the child goes out of my charge or control.

Date thisday of

Signature and address of 2 witnesses

Signature of Applicant(s)

Witness 1:

Witness 2: \

Chairperson/Member, Child Welfare Committee

RECORD OF A CHILD IN FOSTER CARE

- a) Case no.....
- b) Name of the Child.....
- c) Age.....
- d) Gender.....
- e) Name and address of the Group Foster Care Home, if any from where the child has been given for foster care.....
- f) Individual Care Plan
- g) Any other source of referral.....
- h) Details of the child placed in foster care including Photograph of the child, foster care giver/parent, biological parents, if available.....
- i) Details of the placement - individual or group including date and period of placement
- j) Home Study Report of the biological family, where applicable with photograph
- k) Home Study report of the foster family- individual or group care, with photograph
- l) Child Study Report
- m) Address of the Child Welfare Committee
- n) Particulars of the order of the Committee placing the child in foster care
- o) Record (number and significant details) of each visit with the child, foster family, Biological family, if available and child's school
- p) Record of all reviews of the placement including observations, extent and quality of compliance with Care Plan, child's developmental milestones, child's academic progress, and any changes in family environment
- q) In the case of extension or termination of the placement, record of date and reason for termination
- r) Date of the child being handed over to the foster family:
- s) Financial assistance provided, if any
- t) Name of the Case Worker appointed

MONTHLY INSPECTION OF FOSTER FAMILIES/GROUP FOSTER CARE

(Fill as applicable)

Date of visit:

(Affix Recent
Photo)

- a) Name:
- b) Date of Birth & Age:
- c) Gender: Male.....Female.....Transgender.....
- d) Date of Placement

1. Details of Foster Parents

- a) Name of Foster Parents
- b) Address
- c) Contact Details
 - i) Landline
 - ii) Mobile
- d) Aadhaar Number
- e) Photograph of Parents

(Affix recent photo)

(Affix recent photo)

3. Interaction with Foster Child

| | | |
|----|--|--|
| a) | Child's experience being part of the family (with reference to whether the child is properly cared for – physical, emotional and health) describe <ul style="list-style-type: none"> i) Health Indicators <ul style="list-style-type: none"> a) Present Health Status b) Any record of Illness c) Any other treatment that the child is undergoing | |
|----|--|--|

| | | |
|----|---|---|
| | ii) Emotional <div> Happy and well-adjusted <input type="checkbox"/> In process of adjusting <input type="checkbox"/> Maladjusted <input type="checkbox"/> </div> | |
| b) | <p>How is the child performing in his studies? (i) check in relation with the grades/marks the child achieved in previous examinations,</p> <p>(ii) Foster parents have regular conversations with the child regarding his/her studies, extra curricular activities</p> <p>(iii) Do they attend PTA meetings?</p> | <div> Yes <input type="checkbox"/> No <input type="checkbox"/> Sometimes <input type="checkbox"/> </div> <div> Yes <input type="checkbox"/> No <input type="checkbox"/> Sometimes <input type="checkbox"/> </div> |
| c) | <p>i) The amount of time parents (foster) spend with the child either alone or together with their own children.</p> <p>ii) How do they spend time together as a family and for what?</p> <p>iii) Does the foster child share with the foster parent's problems he /she is facing either at home, school in the neighbourhood or emotionally feeling not happy?</p> | <div> <input type="checkbox"/> Having conversations <input type="checkbox"/> Dining <input type="checkbox"/> Playing <input type="checkbox"/> Watching TV <input type="checkbox"/> Going to school <input type="checkbox"/> Doing homework together <input type="checkbox"/> Others (specify) </div> <div> Yes <input type="checkbox"/> No <input type="checkbox"/> Sometimes <input type="checkbox"/> </div> |
| d) | Does the child get support from foster | Yes <input type="checkbox"/> No <input type="checkbox"/> |

| | | |
|----|--|---|
| | parents' children? (do they mutually help each other) | Sometimes <input type="checkbox"/> |
| e) | Has there been any incident that made the foster child feel discriminated against? | |
| f) | <p>Has there been any incident/incidents that made you uncomfortable?</p> <p>i) The way a foster parent/older sibling/any other member touched you.</p> <p>ii)The conversations foster parents/older siblings/any other member had with you</p> <p>iii) Any materials- visuals, printed you were made to watch or read</p> <p>iv) Were you at any time sexually assaulted or abused?*</p> <p>*if the answers are “yes” immediate steps should be taken to remove the child and send to a place of safety and support the child with medical and psycho-social therapy.</p> <p>** Actions to be taken against the foster carers or parents according to the procedures laid down.</p> <p>*** Is similar treatment being meted out to their biological child also? Then the biological child should also be treated as a child in need of care and protection and appropriate action may be taken.</p> | <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> |
| g) | Whether the child keeps in contact with his/her family of origin (by telephone, letters, visits). Specify | Yes <input type="checkbox"/> No <input type="checkbox"/> |

| | | |
|----|--|--|
| h) | Have you been beaten by the foster parent at any time? | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| i) | Have you been spoken to in a manner that you felt humiliated? | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| j) | Are you made to do household chores? | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| k) | Do the biological children of the foster parents made to do the same household chores? | Yes <input type="checkbox"/> No <input type="checkbox"/> |

5. Interaction with Foster Parents

| | | |
|----|---|---|
| a) | Parent's impressions about the behavior (emotional well-being) of the child in the family | <input type="checkbox"/> Happy and well-adjusted <input type="checkbox"/> In process of adjusting <input type="checkbox"/> Maladjusted |
| b) | Perception about his/her adjustment with the household and with other members in the family | <input type="checkbox"/> Happy and well-adjusted <input type="checkbox"/> In process of adjusting <input type="checkbox"/> Maladjusted |
| c) | How do you discipline the child? | <input type="checkbox"/> Reason with the child <input type="checkbox"/> Scolding , Chastise <input type="checkbox"/> Beat the child <input type="checkbox"/> Other Methods (Specify) |
| d) | What are the behavior traits that are of concern and how do you as parents deal with them? | <input type="checkbox"/> Lack of co-operation <input type="checkbox"/> Lack of Adjustment <input type="checkbox"/> Introvert <input type="checkbox"/> Aggressive |

| | | |
|----|--|--|
| | | <input type="checkbox"/> Not Communicative <input type="checkbox"/> Any Other |
| e) | Do you spend time together with the foster child and biological children? Describe. | Yes <input type="checkbox"/> No <input type="checkbox"/> <input type="checkbox"/> Sometimes |
| f) | Views on the progress of Child's education and other talents i) Child is faring well in school ii) If the child is not faring well in school do you seek to find out the reasons a) from the child b) the school teacher iii) Do you attend PTA meetings? | Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> <input type="checkbox"/> Sometimes |
| g) | Do the foster parents consult the child while taking decisions on behalf of him/her? | Yes <input type="checkbox"/> No <input type="checkbox"/> <input type="checkbox"/> Sometimes |
| h) | How does the child show his approval/disapproval to the foster parent's decisions? | <input type="checkbox"/> Accept the decision with happiness <input type="checkbox"/> Accept the decisions but unhappy <input type="checkbox"/> Refuse to accept the decision and shows aggressive behavior) |
| i) | Are the foster parents aware of the social networks of the child? | Yes <input type="checkbox"/> No <input type="checkbox"/> |

| | | |
|----|--|---|
| j) | Views on child's social relationship with the neighbors, school friends and teachers. | <input type="checkbox"/> Good and regular interaction <input type="checkbox"/> Periodic Interactions |
| k) | What is their plan for the child?(To be noted down) | |
| l) | Does the foster child maintain the contact with his/her family of origin? (by telephone, letters, visits). Specify | Yes <input type="checkbox"/> No <input type="checkbox"/> <input type="checkbox"/> Sometimes |
| m) | Who maintains the bank account of the foster child as a parent? | |

6. Interaction with other children of the Foster Parents:

| | | |
|----|---|---|
| a) | The things they do together with the foster child | <input type="checkbox"/> Dining <input type="checkbox"/> Playing <input type="checkbox"/> Watching TV <input type="checkbox"/> Going to school <input type="checkbox"/> Doing homework together |
| b) | Do they have quarrels or fights between themselves and the foster child? If yes, how often, on what issues, and how do they resolve it. Please note down. | Yes <input type="checkbox"/> No <input type="checkbox"/> <input type="checkbox"/> Sometimes |
| c) | How do you feel when your parents show love, affection and care to the foster child? | <input type="checkbox"/> Happy <input type="checkbox"/> Unhappy <input type="checkbox"/> Angry <input type="checkbox"/> Jealous |

7. Interaction with the School Teachers:

| | | |
|----|--|--|
| a) | Information about the academic performance of the child in the school (<i>verify with progress cards to see if the child has shown any progress</i>) | <input type="checkbox"/> Good <input type="checkbox"/> Fair <input type="checkbox"/> Satisfactory <input type="checkbox"/> Poor |
| b) | Teacher's observation: if the child has adjusted to his/her foster parents | <input type="checkbox"/> Happy and well-adjusted <input type="checkbox"/> In process of adjusting <input type="checkbox"/> Maladjusted |
| c) | Do the foster parents attend parent-teacher meetings? | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Sometimes |
| d) | Do they seem interested in the child's studies?(<i>by enquiring of his academic achievements, his relationship with teachers and classmates</i>) | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Indifferent |
| e) | Observation on child's behavior in the school (<i>his relationship with teachers, classmates</i>) | <input type="checkbox"/> Happy and well-adjusted <input type="checkbox"/> In process of adjusting <input type="checkbox"/> Maladjusted |
| f) | Any concerns of the child in the school. If yes, give details | |

8. Interaction with Birth Parents

| | | |
|----|--|---|
| a) | Have the birth parents maintained contact with their child (by telephone calls, letters, and visits? How frequently? | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Sometimes |
| b) | Was the child happy to meet them? | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Upset while meeting them |

| | | |
|----|---|--|
| c) | Did the child raise any issues with regard to his or her foster carers/parents/family with them? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| d) | Do they have any interaction with the foster family regarding the wellbeing of the child? | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Sometimes |
| e) | The family's status to receive back the child | <input type="checkbox"/> Family is interested and in a position to receive back the child. <input type="checkbox"/> Family is interested but not in a position to receive back the child. <input type="checkbox"/> Family is not interested to receive back the child. |
| f) | Received any support from the government or any other agency in helping them to receive back the child from the foster carers(If yes, give details) | <input type="checkbox"/> Yes <input type="checkbox"/> No |

9. Interaction with Neighbours

| | | |
|----|---|---|
| a) | Knowledge about the neighbor fostering a child. | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| b) | Information about the attitude and behaviour of the foster family towards the child | <input type="checkbox"/> Positive and Happy <input type="checkbox"/> Indifferent Attitude <input type="checkbox"/> Negative Attitude <input type="checkbox"/> Misbehaviour towards foster children |
| c) | Observed any quarrel or issues between the family members and foster child or between neighbourhood and the foster child (if yes, give detail) | <input type="checkbox"/> Yes <input type="checkbox"/> No |

Prepared by

Signatures

FORM 36

[Rule 24(5)]

ORDER OF SPONSORSHIP

Case No.:

The child (name and address)age..... d/o or s/o
Mr.....and/or Mrs..... has been identified as a child needing
sponsorship support for education/ health/ nutrition/ other developmental needs
.....(please specify). The District Child Protection Unit is hereby
directed to release Rs.....per month/ Rs..... as one time sponsorship
support to the said child for a period of (days/month) and carryout
necessary follow up and for the said purpose shall open a bank account in the name of
the child..... to be operated by

Children's Court/ Principal Magistrate, Juvenile Justice Board/
Chairperson/Member, Child Welfare Committee

FORM 37

[Rule 25(2)]

ORDER OF AFTER CARE PLACEMENT

The 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 and specifically for (specify the purpose). 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, and in exceptional cases, till the age of 25 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 release Rs.....per month towards after-care support to the said person for a period of (days/month) and carryout necessary follow up and for the said purpose shall open a bank account in the name of the person.....

**Children's Court/ Principal Magistrate, Juvenile Justice Board/
Chairperson/Member, Child Welfare Committee**

Copy to: State/ District Child Protection Unit or concerned Department of the State Government

APPLICATION FOR REGISTRATION OFFIT FACILITY INCLUDING GROUP FOSTER CARE

| | | |
|-----------|---|--|
| 1. | Detail of Institution/ Agency/ Organization which seeks recognition as fit facility | |
| 1.a | Name of the Institution /Agency/ Organization | |
| 1.b | Registration number and date of Registration of the Institution/ Organization under the relevant Act (Annex- Relevant documents of registration, bye-laws, memorandum of association) | |
| 1. c | Complete address of the Applicant/ Institution/ organization | |
| 1.d | STD code/ Telephone No. | |
| 1.e | STD code Fax No. | |
| 1.f | E-mail address | |
| 1.g | Whether the organization is of all India character, if yes, give address of its branches, in other states | |
| 1.h | If the Institution had been denied recognition earlier? If yes i. Reference No. of application leading to denial of recognition ii. Date of denial iii. Who had denied the recognition iv. Reason for denial of recognition | |
| 2. | Details of the proposed fit facility: | |
| 2.a | Complete address/ location of proposed Fit Facility | |
| 2.b | STD code/ telephone no | |
| 2.c | STD code fax no | |
| 2.d | E-mail | |

| | | |
|-----------|---|--|
| 3. | Connectivity (Name and Distance from the proposed Fit Facility): | |
| 3.a | Main Road | |
| 3.b | Bus –stand | |
| 3.c | Railway Station | |
| 3.d | Any landmark | |
| 4. | Infrastructure: | |
| 4.a | No. of Rooms (Mention with measurement) | |
| 4.b | No. of toilets (mention with measurement) | |
| 4.c | No. of Kitchens (mention with measurement) | |
| 4.d | No. of sick room | |
| 4.e | Annex -Copy of blue print of the building (authentic sketch plan of building) | |
| 4.f | Arrangement to deal with unforeseen disaster also mention the kind of arrangement made: i) Fire ii) Earth quake iii) Any other arrangement | |
| 4.g | Arrangement of Drinking water Annex-Certified from public health engineering (PHE) Department. | |
| 4.h | Arrangement to maintain sanitation and hygiene: i. Pest Control ii. Waste disposal iii. Storage area iv. Any other arrangement | |
| 4.i | Rent agreement/ building maintenance estimate (whichever is applicable)(Annex- copy of Rent agreement) | |
| 5. | Capacity of the Fit Facility | |
| 6. | Facilities Available (would depend on the purpose for which recognition as fit facility is to be given) | |

| | | |
|-----------|--|--|
| 6.c | Any other facility that shall impact on the overall development of the child | |
| 7. | Staffing | |
| 7.a | Detailed staff list | |
| 7.b | Name of partner organizations | |
| 8. | Background of the Applicant | |
| 8.a | Major activities of the organization in last two years | |
| 8.b | An updated list of members of the management committee/ governing body in the enclosed format (Annex- resolution of the annual meeting) | |
| 8.c | List of assets/ infrastructure of the organization | |
| 8.d | If the organization is registered under the Foreign Contribution (Regulation) Act, 1976 (Annex – certificate of registration) | |
| 8.e | Details of foreign contribution received last two years (Annex- relevant documents) | |
| 8.f | List of other sources of grant- in – aid funding (if any)with the name of the scheme / project , purpose amount, etc. (separately) | |
| 8.g | Details of existing bank account of the agency indicating branch code account no. | |
| 8.h | Whether the agency agrees to open a separate bank account for the grant proposed | |

| | | |
|-----|---|--|
| 8.i | Annex -Photocopy of Accounts of last three years: <ol style="list-style-type: none"> i. Auditors report ii. Income and expenditure account iii. Receipt and payment account iv. Balance sheet of the organization. | |
|-----|---|--|

I have read and understood The Juvenile Justice (Care and Protection of Children Act), 2015; and the Juvenile Justice (Care and Protection of Children) Rules, 2016.

.....(Name of the Organization / Institution) has complied with all the requirements to be granted recognition as a Fit Facility under the Juvenile Justice (Care and Protection of Children) Act, 2015 and the Juvenile Justice (Care and Protection of Children) Rules, 2016.

I declare that no person associated with the organization has been previously convicted or has been involved in any illegal act or in any act of child abuse or employment of child labour or an offence involving moral turpitude and that the organization has not been blacklisted by the Central or the State Government at any point of time.

I undertake to abide by all the conditions laid down by the Central/ State Act, Rules, Guidelines and Notifications in this regard.

I undertake to abide by the orders passed by the Juvenile Justice Board or the Child Welfare Committee from time to time.

Signature of the authorized signatory:

Name:

Designation:

Address:

District:

Date:

Office stamp:

Signature of:

Witness no.1:

Witness no.2:

CERTIFICATE OF RECOGNITION OF FIT FACILITY INCLUDING GROUP FOSTER CARE

After perusal of the documents and on the basis of an inspection of the Institution conducted on..... the..... (Name of the Institution) is recognized as a Fit Facility under Section 51 of the Juvenile Justice (Care and Protection of Children) Act, 2015 with effect from..... for a period ofyears.

The Facility shall remain bound to follow the Juvenile Justice (Care and Protection of Children) Act, 2015, the Juvenile Justice (Care and Protection of Children) Rules, 2016 and regulations framed by the appropriate Government from time to time.

The Facility shall remain bound to comply with the orders passed by the Juvenile Justice Board or the Child Welfare Committee from time to time.

Dated this.....day of20

(Signature)
(Seal)

Dated thisday of20.....

(Signature)

Chairperson, Child Welfare Committee / Principal Magistrate, Juvenile Justice Board

FORM 40

[Rule 61(3)(xii)]

**LIST OF CHILDREN SUBMITTED BY CCI
TO BOARD OR COMMITTEE WEEKLY**

Details of the Child Care Institution:

| Sr. No. | Name of Child | FIR/DD/Case No. | PS | Date of Next Production |
|---------|---------------|--------------------|----|----------------------------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |

Total Number of Children admitted during the week.....

Total Number of Children released during the week.....

Total Number of Children in the Institution as on.....

Signature

Person in charge of the CCI

Date:

PROTECTIVE CUSTODY CARD

Case Number:.....

1. Name of the child :
2. Age of the child :
3. Mother's Name :
4. Father's Name :
5. Address of parent/guardians :
6. Health conditions of child, if any :
7. Injuries of child, if any, and
cause of such injuries :
8. Date of receiving by Organization/Institution:
9. Name & contact details of the person producing child:
10. Date of Inquiry:

This is to authorize and direct you to receive the above named child in your Child Care Institution and keep her/him in your charge for protective custody under the J.J. Act, 2015.

And to produce the child on

Next Date of hearing.....

(Signature)

Principal Magistrate/ Member,

Juvenile Justice Board

OVERNIGHT PROTECTIVE STAY

Whereas (name of the child)has this day been apprehended/ found to be in need of overnight protective stay at the
(Name of the Institution).

The said child has been produced by (Name of the child welfare police officer, fromPolice station ,). The child has been brought along with the required application seeking protective stay, medical report stating the general health condition if available, and visible injuries, if any, along with cause for the same, of the child which has been duly perused by the person in-charge of the Institution.

The said child has been brought to the Institution at (time) and shall be handed over on the following day to the concerned jurisdiction of the child welfare police officer on or before(mention time).

The personal belongings of the child have been thoroughly searched and the following articles (if any) have been handed over to the concerned child welfare police officer.

In case the concerned child welfare police officer fails to report in due time to take custody of the child, such child shall be produced before the Juvenile Justice Board/ Child Welfare Committee by the Officer in charge of the Institution at the earliest.

Copy to:

1. Child Welfare Police Officer
2. Board / Committee
3. The Person in charge of the Institution

Dated this _____ day of _____ 20

(Signature)

The Person in charge of the Institution

(Signature)

Child Welfare Police Officer

CASE HISTORY OF THE CHILD (FOR CHILD CARE INSTITUTION)

Affix a latest
photograph
here

Case/Profile No.....

Date & Time.....

A. PERSONAL DATA

1. Name.....

2. Male / Female (tick the appropriate category)

3. Age at the time of admission.....

4. Present age.....

5. Category (tick as applicable):

- (i) Separated from family
- (ii) Abandoned/deserted
- (iii) Victim of abuse, exploitation and neglect (give detail)
- (iv) Run-away
- (v) Orphan
- (vi) Any other

6. Religion

- (i) Hindu Muslim/Christian/Other(pl. specify)
7. Caste and Tribal Identity: OC/BC/SC/ST/General
8. Native District & State:
9. Description of the Housing:
- (i) Concrete building/ Kuchha
 - (ii) Three bedroom/ two bedroom/ one bedroom/ no separate bedroom
 - (iii) Owned / rental
10. By whom the child was brought before the Child Welfare Committee/Juvenile Justice Board (tick as applicable):
- i. Police-Local Police/Special Juvenile Police Unit/ designated Child Welfare Police Officer / Railway Police/ Women Police
 - ii. Probation Officers
 - iii. Social Welfare Organization
 - iv. Social Worker
 - v. Parent(s)/Guardian (s) (please Specify the relationship)
 - vi. Any public servant
 - vii. Any public spirited citizen
 - viii. Child himself/herself
11. Reasons for leaving the family
- i. Abuse by parent(s)/guardian(s)/step parents(s)
 - ii. In search of employment
 - iii. Peer group influence
 - iv. Incapacitation of parents
 - v. Criminal behaviour of parents
 - vi. Separation of Parents
 - vii. Demise of parents
 - viii. Poverty
 - ix. Others (please specify)
12. Types of abuse faced by the child
- i. Verbal abuse – parents/siblings/ employers/others (pl. specify)
 - ii. Physical abuse - parents/siblings/ employers/others (pl. specify)
 - iii. Sexual abuse - parents/siblings/ Employers/others(Pl. specify)
 - iv. Others – parents/siblings/ employers/others (pl. Specify)
13. Types of ill-treatment met by the child.

- i) Denial of food –parents/siblings employers/other (pl. specify)
- ii) Beaten mercilessly-parents/ Siblings/employers/other (pl. specify)
- iii) Causing injury – parents/ siblings/employers/other (pl. specify)
- iv) Detention - parents/ siblings/employers/other (pl. specify)
- v) Other (please Specify)

14. Exploitation faced by the child

- i) Extracted work without payment (give details)
- ii) Little (low) wages with longer duration of work
- iii) Others (pl. specify)

15. Health status of the child before admission.

| | |
|------------------------------------|--------------------------------|
| i) Respiratory disorders | - present / not known / absent |
| ii) Hearing impairment | - present / not known / absent |
| iii) Eye diseases | - present / not known / absent |
| iv) Dental disease | - present / not known / absent |
| v) Cardiac diseases | - present / not known / absent |
| vi) Skin disease | - present / not known / absent |
| vii) Sexually transmitted diseases | - present / not known / absent |
| viii) Neurological disorders | - present / not known / absent |
| ix) Mental disability | - present / not known / absent |
| x) Physical disability | - present / not known / absent |
| xi) Urinary tract infections | - present / not known / absent |
| xii) Others (pl. specify) | - present / not known / absent |

15. With whom the child was staying prior to admission

- i. Parent(s) – Mother / Father / Both
- ii. Siblings / Blood relative
- iii. Guardian(s) – Relationship
- iv. Friends
- v. On the street
- vi. Night shelter

vii. Orphanages / Hostels/ Similar Homes

viii. Other (pl. specify)

16. Visit of the parents to meet the child

Prior to institutionalization- Frequently / Occasionally / Rarely / Never

After institutionalization - Frequently / Occasionally / Rarely / Never

17. Visit of the Child to his parents

Prior to institutionalization - Frequently / Occasionally / Rarely / During festival times / During summer holidays / Whenever fallen sick / Never

After institutionalization-- Frequently / Occasionally / Rarely / During festival times / During summer holidays / Whenever fallen sick / Never

18. Correspondence with parents -

Prior to institutionalization – Frequently / Occasionally / Rarely / During festival times / During summer holidays / Whenever fallen sick / Never

After institutionalization – Frequently / Occasionally / Rarely / During festival times / During summer holidays / Whenever fallen sick / Never

19. Details of disability

20 Type Family: Family / joint family/ broken family / single parent

21. Relationship among the family members:

| | |
|-----------------------|---------------------------------|
| i) Father & mother | Cordial/ Non cordial/ Not known |
| ii) Father & child | Cordial/ Non cordial/ Not known |
| iii) Mother & child | Cordial/ Non cordial/ Not known |
| iv) Father & siblings | Cordial/ Non cordial/ Not known |
| v) Mother & siblings | Cordial/ Non cordial/ Not known |
| vi) Child & siblings | Cordial/ Non cordial/ Not known |
| vii) Child & relative | Cordial/ Non cordial/ Not known |

22. History of crime committed by family members, if any:

| S. No. | Relationship | Nature of Crime | Legal status of the case | 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) | | | | | |

23. Properties owned by the family:

- i. Landed properties (pl. specify the area, and attach a copy of khata extract, if available)
- ii. Household articles- Cows/ Cattle/ Bull

- iii. Vehicles- two wheeler/ three wheeler/ four wheeler
(lorry/ bus/ car/ tractor/ jeep)
- iv. Others (please specify)

24. Marriage details of family members:

- i) Parents: Married/Unmarried
- ii) Brothers: Married/Unmarried
- iii) Sisters: Married/Unmarried

25. Social activities of family members:

- i. Participate in events
- ii. Participate in cultural activities
- iii. Does not participate in events
- iv. Not known

26. Parental care towards child before admission:

- i. Over protection
- ii. Affectionate
- iii. Attentive
- iv. Not affectionate
- v. Not attentive
- vi. Rejection

ADOLESCENCE HISTORY (Between 12 and 18 years)

27. At what age did the child attain puberty?

28. Details of delinquent behaviour if any

- i. Stealing
- ii. Pick pocketing
- iii. Arrack selling
- iv. Drug peddling

- v. Petty offences
- vi. Violent crime
- vii. Rape
- viii. None of the above
- ix. Others (please specify)

29. Reason for delinquent behaviour

- i. Parental neglect
- ii. Parental overprotection
- iii. Parents criminal behaviour
- iv. Parents influence (negative)
- v. Peer group influence - To buy drugs/alcohol
- vi. Others (pl. specify)

30. Habits

A

- i) Smoking
- ii) Alcohol consumption
- iii) Drug use (specify)
- iv) Gambling
- v) Any other

B

- i) Watching TV/movies
- ii) Playing indoor/outdoor games
- iii) Reading books
- iv) Religious activities
- v) Drawing/painting/acting/singing
- vi) Any other

EMPLOYMENT DETAILS

31. Employment details of the child prior to entry into the Home:

| S.No. | Details of employment | Timing and Duration | Wages earned |
|-------|-----------------------|---------------------|--------------|
| i) | Coolie | | |
| ii) | Rag picking | | |
| iii) | Mechanic | | |

| | | | |
|-------|---------------------|--|--|
| iv) | Hotel work | | |
| v) | Tea shop work | | |
| vi) | Shoe polish | | |
| vii) | Household works | | |
| viii) | Others (pl specify) | | |

32. Details of income utilization:

Sent to family to meet family need

- i. For dress materials
- ii. For gambling
- iii. For prostitution
- iv. For alcohol
- v. For drug
- vi. For smoking
- vii. For rent
- viii. For food
- ix. For education
- x. For health
- xi. Savings

33. Details of savings

- i. With parents
- ii. With employers
- iii. With friends
- iv. Bank/Post Office
- v. Others (pl. specify)

34. Duration of working hours

- i. Less than six hours
- ii. Between six and eight hours
- iii. More than eight hours

EDUCATIONAL DETAILS

35. The details of education of the child prior to the admission to Children's Home

- i. Never attended School
- ii. Studied up to V Standard
- iii. Studied above V Std but below VIII Standard
- iv. Studied above VIII Std but below X Standard
- v. Studied above X Standard

36. 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. Abuse in school (corporal/verbal/sexual)
- i. Bullying by peers
- j. Absenteeism followed by running away from school
- k. There is no age appropriate school nearby
- l. Others (pl. specify)

37. The details of the school in which studied last:

- i. Corporation/Municipal/Panchayat
- ii. Government/SC Welfare School/BC Welfare School
- iii. Private management/ Convents

38. Medium instruction: Hindi/English/Urdu/Tamil/Malayalam/Kannada/ Telugu/
Marathi / Gujarati/ Bengali / Other language (please specify)

39. After admission to Children's Home, the educational attainment from the date
of admission till date;

No. of years Class studied Promoted /detained

40. Skill training undergone form the date of admission into Children's Home till date.

No. of years

Name of Skill

Proficiency Attained

Details of certification, if any

41. Extra-curricular activities developed from the date of admission into the Children's Home till date

- (i) Scout
- (ii) Sports (please specify)
- (iii) Athletics (please specify)
- (iv) Drawing
- (v) Painting
- (vi) Others (pl. specify)

MEDICAL HISTORY

42. Height and weight at the time of admission:

43. Physical condition:

44. Medical history of child (gist):

45. Medical history of parent/guardian (gist):

46. Present health status of the child:

| Sl. No. | Annual Observation | 1 st Quarter | 2 nd Quarter | 3 rd Quarter | 4 th Quarter |
|---------|-----------------------|-------------------------|-------------------------|-------------------------|-------------------------|
| | Date of Review | | | | |
| | Height | | | | |
| | Weight | | | | |
| | Nutritious diet given | | | | |
| | Stress | | | | |

| | | | | | |
|--|--------|--|--|--|--|
| | Dental | | | | |
| | ENT | | | | |
| | Eye | | | | |

47. Height and Weight Chart

| Date, Month and Year | Height | Admissible Weight | Actual Weight |
|----------------------|--------|-------------------|---------------|
| | | | |

SOCIAL HISTORY

48. Details of friendship prior to admission into Children's Home:

- i. Co-workers
- ii. School/Classmate
- iii. Neighbours
- iv. Others (pl. specify)

49. Majority of the friends are

- i. Educated
- ii. Never Attended School
- iii. The same age group
- iv. Older in age
- v. Younger in age
- vi. Same sex
- vii. Opposite sex

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

- i. Associated with cine fans association
- ii. Association with religious group
- iii. Associated with arts and sports club
- iv. Associated with gangs
- v. Associated with voluntary social service league
- vi. Others (please specify)

51. Purpose of taking membership in the group:

- i. For social service activities
- ii. For leisure time spending
- iii. For pleasure seeking activities
- iv. For harmful activities
- v. For seeking protection
- vi. Because of peer pressure
- vii. Others (please specify)

52. Attitude of the group / league

- i. Respect the social norms and follow the rules
- ii. Interested in violating the norms
- iii. Impulsive in violating the rules

53. The location/meeting point of the groups

- i. Usually at fixed place
- ii. Places are changed frequently
- iii. No specific places
- iv. Meeting point is fixed conveniently

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

- i. Supportive
- ii. Rejection
- iii. Abuse
- iv. Ill-treatment
- v. Exploitation

55. The reaction of the police towards children

- i. Compassionate
- ii. Harsh
- iii. Aggressive and abusive
- iv. Exploitative
- v. Ill-treated

Photographic and other evidence of police cruelty should be recorded and attached

56. The response of the general public towards the child

HISTORY OF THE CHILD (Brief)

- (i) Education
- (ii) Health
- (iii) Vocational training

- (iv) Extra curricular activities
- (v) Others

Suggestion of Child Welfare Officer/ Probation Officer after orientation to child and the response towards orientation.

Follow up by Child Welfare Officer/ Probation Officer/ Case Worker/ Social Worker

Quarterly Review of Case History by Management Committee

PERSON-IN-CHARGE/ CHILD WELFARE OFFICER/ PROBATION OFFICER

FORM 44

[Rule 82(1)]

RELEASE CUM RESTORATION ORDER

Ms./Mr. (Name of the Child).....son/ daughter of.....
residence.....Case No./ Profile Number..... who was ordered to be
placed in an observation home/place of safety/ special home/Children's Home/ by the Juvenile
Justice Board/ Children's Court/ Child Welfare Committeeunder
section..... of the Juvenile Justice (Care and Protection of Children) Act 2015, for a
term of..... on theday of.....20.....and who is now
in the Institution, at.....is directed to be released from the
said.....Institution and supervision and the authority of..... during the remaining
period of stay as.....reason for discharge).

This order is granted subject to the conditions hereon, upon the breach of any of which it
shall be liable to be revoked.

Dated

Signature

Juvenile Justice Board/ Children's Court/ Child Welfare Committee

Place:

Conditions:

1. The discharged person shall proceed to..... and live under the supervision and
authority of..... until the expiry of the period of his stay in Children's Homes or
fit facility/ detention in observation home/ special homes/ place of safety unless the remission is
sooner cancelled.

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

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

4. He shall not get involved in any offence and shall lead a sober and industrious life to the
satisfaction of.....

6. In the event of his committing a breach of any of the above conditions the remission of the
period of stay in the Institution hereby granted shall be liable to be cancelled and on such
cancellation he/she shall be dealt with under section 97 of the Juvenile Justice (Care &
Protection of Children) Act 2015.

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 released child)

Certified that the conditions specified in the above order have been read over/explained to (Name
of child).....and that he/she has accepted them as the conditions upon which
his/her release may be revoked.

Certified accordingly that the said child has been discharged on/...../.....

Signature and Designation of the certifying authority
i.e. Person-in-charge of the institution

ESCORT ORDER

Case No.....

In the matter of Boy/Girl Child

.....

Aged about.....year taken

The Parents of the boy/girl child are reported to be residing at.....

He/She therefore be sent under supervision of a proper police / recognized 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 Person-in-charge.....Children's Home/ Place of Safety/ Observation Homes of the said district and the said Boy/Girl child be produced before the concerned Child Welfare Committee/ Juvenile Justice Board for further orders.

Orders

Pending Escort, the said Boy/Girl Child shall remain in Children's Home/ Place of Safety/ Observation Homes, residing at present at----- The State/District Child Protection Unit, or Police Department and recognized Non-governmental organization/ 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.....20

Chairperson/Member

Child Welfare Committee

Juvenile Justice Board

CC to:

- 1.The Person-in-charge, Child Care Institution.
- 2.The District Child Protection Unit or non-governmental organization or Child line

Ref.: 1. Order of admission of minor.....born on.....Profile No.....

[Rule 41(3) and 41(9)]

INSPECTION BY INSPECTION COMMITTEE

(Fill as applicable)

Date of visit: Time of visit:

Name of the officials inspecting the Home:

1.
2.
3.

A. General Information :

- i. Name and address of the Organisation:
- ii. Registration No. (Under JJ Act, 2015):

Date of issue : .../.../.....

Date of expiry : .../.../.....

- iii. Complete address of the CCI :
.....
.....
- iv. Name of the Officer/Person-in-Charge:
.....

v. Contact No:

vi. Email Id:

vi. Type of Home (Please tick one):

Observation Home/ Special Home/ Place of Safety/ Children's Home/ Open Shelter / Any other
(please specify):

vii. If Aided/supported: by State Government, Name of the Department (If run by Government):

B. Status of Children:

(i) Sanction capacity of the Home.....

(ii) Are the children of all sexes below 10 years kept in the same home

Yes ☐ No ☐

If yes, number of such children as on today.....

(iii) Are the bathing and sleeping facilities maintained separately for boys, girls, and transgender children in the age group of 5-10 years

Yes ☐ No ☐

(iv) Are children segregated in the age group given below? Give number of children in the age group of

i. 7-11 years:

| |
|--|
| |
| |

ii. 12- 18 years:

iii. Are there children in the age group of 0-5 years staying there?

Yes ☐ No ☐ If yes, Give numbers:

iv. Are there children above 18 years staying there?

Yes ☐ No ☐ If yes, Give numbers:

v.No. of new admissions in the current month.....

vi.No. of children who have moved out/released.....

vii.No. of children referred by CWC/JJB during the month.....

viii.No. of children produced before CWC/JJB during the month.....

ix.No. of children as on last day of the previous month

x.No. of children with special needs, if yes, give details.....

xi. Specific Interventions made available for their rehabilitation:

.....

.....

.....

.....

xii. Are the Individual care plans prepared for every child? Yes ☐ No ☐

C. Infrastructure:

- Building:
- Rented:..... Owned.....

• Are CCTV cameras installed at the entrance Yes ☐ No ☐

• Security- adequate / inadequate? (*pl. tick the appropriate answer*)

• Sufficient space to accommodate the children: Yes ☐ ☐

Space available:

| | |
|--|--|
| No. of rooms / dormitories | Details |
| Provision of sick room / medical unit | |
| Counselling room | |
| Recreational / activity room for Childre | <p>• Is there a TV set available with Cable network Yes No</p> <p>• How often are children allowed to view TV in the evenings or any time</p> <p>• Are children playing games indoors Yes No</p> <p>• What games are available to them age appropriate games or not</p> <p>• Are children playing games outdoors Yes No</p> <p>• Do they have equipments/ accessories to play Yes No</p> <p>• Do children go for</p> |

| | |
|---|---|
| <p>picnics/excursions</p> <ul style="list-style-type: none"> Do they have interactions with eminent personalities Is there a recreation room available to children | <p>Yes No</p> <p>Yes No</p> |
| <p>Kitchen / Dining Room</p> <ul style="list-style-type: none"> Is the cooking area and pantry separate Do children get individual thalis, mugs glasses Are cooking utensils adequate and clean Is there a fridge available for children? Is there a Oven available for children? Is there a Gas stove available in kitchen Is there a chimney available? What is the arrangement to keep the gas cylinders? Adequate water supply for washing, cooking Adequate drinking water available (RO) Is cooking done by machine cook? | <p>Yes No</p> <p>Yes No</p> <p>Yes No</p> <p>Yes No</p> <p>Yes No</p> <p>Yes No</p> <p>safe/away from children or not</p> <p>Yes No</p> <p>manual or mechanical</p> <p>Yes No</p> |
| <p>Number of toilets & bathrooms for Children</p> <ul style="list-style-type: none"> Flush is working Taps in the wash basin are functioning Is the floor slippery Drains clean | <p>Yes No</p> <p>Yes No</p> <p>Yes No</p> <p>Yes No</p> <p>Yes No</p> |

| | |
|---|---|
| <ul style="list-style-type: none"> • Drains are clogged • Fittings for hanging clothes/towels in place | <div> <div>Yes</div> <div>No</div> </div> |
| | <div>once or more in a day</div> |
| <ul style="list-style-type: none"> • Cob webs are removed | <div> <div>Yes</div> <div>No</div> </div> |
| <ul style="list-style-type: none"> • Door has a latch | <div> <div>Yes</div> <div>No</div> </div> |
| <ul style="list-style-type: none"> • Door has peep holes | <div> <div>Yes</div> <div>No</div> </div> |
| <ul style="list-style-type: none"> • Frequency of bath a child is allowed | <div> <div>Yes</div> <div>No</div> </div> |
| <ul style="list-style-type: none"> • Water is adequately available | <div> <div>Yes</div> <div>No</div> </div> |
| <ul style="list-style-type: none"> • Adequate numbers of buckets and mugs | <div> <div>Yes</div> <div>No</div> </div> |
| <ul style="list-style-type: none"> • Personal toiletries are provided | <div> <div>Yes</div> <div>No</div> </div> |
| <ul style="list-style-type: none"> • Is washing powder or soap given | <div> <div>Yes</div> <div>No</div> </div> |
| <ul style="list-style-type: none"> • Do children wash their own clothes | <div> <div>Yes</div> <div>No</div> </div> |
| <ul style="list-style-type: none"> • Is there a washer man available | <div> <div>Yes</div> <div>No</div> </div> |
| <ul style="list-style-type: none"> • Is the washing machine functional | |
| Open space for outdoor activities | |
| Class rooms | |
| space for skill training | |
| Safety hazards (Please give specific details) <ul style="list-style-type: none"> • Broken furniture • Unsafe toys • Unsafe electrical fittings • Inadequate railings/parapets | |

| | |
|--|--|
| <ul style="list-style-type: none"> • Dysfunctional doors and windows • Location of inflammable objects • Possibility of termites or other pest • Hazards close to the CCI • Any other, please specify | |
| <p>Safety measures</p> <ul style="list-style-type: none"> • Presence of disaster management manuals • Conspicuous display of emergency manuals • Any others, please specify | |

Premises

| Question | Yes or No |
|---|-----------|
| Does the home have a child friendly indoors? | |
| Is the sweeping, swabbing done? | |
| If yes, how often? | |
| Are the children involved in any household chores during class hours? | |
| Are the facilities of coolers/ heaters available for children? | |
| Are the doors and windows maintained properly? | |
| Are the rooms and dormitories well ventilated? | |
| Is there an alternate provision for lights and fans when there is no electricity available? | |
| Are the outdoors clean, pleasant and child friendly? | |
| Clothing / Bedding/Lockers/ Toiletries provided to the children: | |
| Are the clothes provided as per size and season? | |
| New clothes are stitched or bought? | |
| Are the mattresses given individually? | |
| Are pillows given individually? | |
| Are the mattress and pillows clean? | |
| Do children have separate cupboards? | |
| Are bed sheets and <i>Khes</i> available? | |
| Are blankets available in winters? | |
| Are children provided with individual lockers to keep their personal items? | |
| Is changing undergarments and sanitary pads done frequently? | |
| How often is it done? | |

Number of sets provided on arrival: one/two/three/four

Frequency of providing new clothes: Monthly/ Quarterly

Are these sets of same colour or different colours? Same/different

Other articles provided to the children:

.....

.....

D. Services provided to the children:

- Medical facilities/ Maintenance of Health Cards:

.....

.....

.....

.....

.....

- Nutrition / Special Diet:

.....

.....

.....

- Adequate provision of safe drinking water:

.....

- Daily Routine of Children:

| Time | Activities / Schedule |
|-----------|-----------------------|
| Morning | |
| Day Time | |
| Afternoon | |
| Evening | |

| | |
|------------------------|--|
| | |
| Late evening/ Night | |

- Education (Formal Education / NFE & Life Skill Training Programme) :

.....

.....

.....

- Computer/ Internet/ Phone

- Is the facility of Computer with internet available? Yes No
- Is the facility functional? Yes No
- Are the children allowed to use the facility? Yes No
- Is the telephone for official purposes only Yes No
- Are the children allowed to use telephone fixed timing/ as and when required
- Is the use of telephone by children monitored? Yes No
- Is the number of Child line (1098) displayed near the phone Yes No

- Counselling/ Guidance services/special educator/physiotherapist, etc. provided :

.....

.....

.....

- Skill training:

.....

- Recreational facilities:

.....

- Linkages developed with other agencies/ departments:

.....

- Implementation of track the missing child programme:
- Entries of children in track the missing child website:
.....
- User Id and password provided:
.....
- Other programmes and activities initiated:
.....
.....

E. Staff Details:

| S.N. | Name | Designation | Qualifications and Experience | Date of Joining | Attendance at the time of visit | Remarks |
|------|------|-------------|-------------------------------|-----------------|---------------------------------|---------|
| 1 | | | | | | |
| 2 | | | | | | |
| 3 | | | | | | |
| 4 | | | | | | |

| | | | | | | |
|----|--|--|--|--|--|--|
| | | | | | | |
| 5 | | | | | | |
| 6 | | | | | | |
| 7 | | | | | | |
| 8 | | | | | | |
| 9 | | | | | | |
| 10 | | | | | | |
| 11 | | | | | | |
| 12 | | | | | | |

| | | | | | | |
|----|--|--|--|--|--|--|
| 13 | | | | | | |
| 14 | | | | | | |

F. Children's Committee / Management Committee

- Formation of Children's Committee :
- Age wise formation of Children's Committee :
- Frequency of Children's Committee Meeting:
- Formation of Management Committee :
- Date of constitution of Management Committee and frequency of meetings held :

G. Record Maintenance :

| | |
|---|--|
| Staff attendance register | |
| Children attendance register | |
| Central admission register | |
| Individual case file with individual care p | |
| Communication with CWC/JJB | |
| Children's suggestion book, and action taken on suggestions | |

| | |
|---|--|
| Medical file / medical cards | |
| Personal belongings register | |
| Management Committee – minutes register | |
| Children’s Committee - minutes register | |
| Nutrition / Diet File | |
| Any other record maintained | |

Observations/ Remarks:

.....

Name of inspection Committee member:

Signature:

Name of inspection Committee member:

Signature:

Name of inspection Committee member:

Signature:

Name of inspection Committee member:

Signature:

FORM 47**AGE MEMO****[Rule 8(8)(i) and Rule 102(1)]****F.I. R. No.** **Year** **Dated:...../...../.....****P.S.** **District**

| | | |
|--|-----------------|--------------|
| 1. Name of Person | | |
| 2. Name of father & Mother | Father | |
| | Mother | |
| 3. Date of Birth / Age as stated by the person | | |
| 4. Name of available documentary proof showing the age and date of birth of the person (If available) | | |
| 5. Age as stated by the person who is informed of the apprehension (to be filled up only in cases of Child in Conflict with Law) | | |
| 6. Age as observed by the Child Welfare Police Officer or the Investigation Officer, as the case may be. | | |
| 7. Name of school and class last and year of leaving and age as mentioned in the record of such school (attach copy of such school record) | | |
| 8. Date of Birth as mentioned in the Birth certificate given by a corporation or a municipal authority or a Panchayat ((attach copy of such birth certificate) | | |
| 9. Date of Birth as mentioned in any other documentary proof (Attach copy of such proof) | | |
| 10. Has the person been dealt with under the provision of Juvenile Justice (Care and Protection of Children) Act, 2000 or 2015? (Relevant column to be ticked by the | YES | Year: |
| | NO | |
| | Do Not Remember | Probably yes |

| | | |
|---|--|--|
| CWPO / IO as per the answer given by person or his family members/ relatives) (Attach copy of such age declaration is available) | | |
|---|--|--|

Comment of the Child Welfare Police Officer or Investigation Officer as the case may regarding age of the person.-

Is further investigation on age is required-
(Answer this in Yes or No)

| | |
|---|--|
| Name, Rank& Number of Child Welfare Police Officer or Investigation Officer who prepared this Age Memo | |
| Date: | |
| Time: | |

Receipt from the person or parents or guardian

I have received the copy of this age memo on date.....time.....place.

[Mention below if any document in original has been taken by the Child Welfare Police Officer or Investigation Officer before signing this document. Provide complete details of documents taken in original by the CPWO or IO]

(Name & Signature of person giving receipt)