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**GOVT. OF ARUNACHAL PRADESH
DEPTT. OF SOCIAL WELFARE, WOMEN & CHILD DEV.,
NAHARLAGUN**

Dated Naharlagun, the 16th Jan. 2006.

Notification

In exercise of the power conferred by section 68 of the Juvenile Justice (Care and Protection of Children) Act, 2000 (No. 56 of 2000), the Government of Arunachal Pradesh is hereby pleased to make the following rules, namely :-

**CHAPTER - I
PRELIMINARY**

1. **Short title and commencement.**

- (1) These Rules may be called the Juvenile Justice (Care and Protection of Children) Arunachal Pradesh Rules, 2005.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. **Definition: In these rules, unless the context otherwise requires :**

- a. 'Act' means the Juvenile Justice (Care and Protection of Children) Act, 2000. (No.56 of 2000) ;
- b. 'State Government' means the State Government of Arunachal Pradesh ;
- c. 'Form' means the form annexed to these rules ;
- d. 'Institution' for the purpose of these rules, means an observation home or a special home or a children's home or a shelter home set up U/s 8, 9, 34 and 37 of the Act ;
- e. 'Section' means a section of the Act ;
- f. 'Rule' means the rule framed under the Juvenile Justice (Care and Protection of Children) Act, 2000.
- g. 'Officer-in-charge' means a person appointed for the control and management of Institution certified or recognized as such under the Act ;
- h. 'Adoption' means taking custody and responsibility permanently of juvenile covered by this Act, who will have all the rights and privileges of a natural born child ;
- i. '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 IN CONFLICT WITH LAW**

3. **Juvenile Justice Board.**

- (1) The Juvenile Justice Board shall consist of a first class Judicial Magistrate and two social workers of whom one shall be a woman forming a bench.
- (2) Every such bench shall have powers conferred by the Code of Criminal Procedures, 1973 (2 of 1974).

- (3) (a) A Magistrate with special knowledge or training in child psychology or child welfare shall be designated as Principal Magistrate of the Juvenile Justice Board.
- (b) In case the Principal Magistrate with such special knowledge and training is not available, then the State Government shall provide for such short-term training in Child Psychology or Child Welfare as it consider necessary.
- (4) The two social workers, of whom one shall be a women, shall be appointed by the State Government on the recommendation of the Selection Committee set-up under sub-rule(2) of rule 24 of these rules.
- (5) The selection committee set up under sub-rule (2) of Rule 24 shall take into consideration the panels of names recommended by the local authority who could be considered for selection of social worker for the Juvenile Justice Board. The selection committee shall also prepare a panel of names for each Juvenile Justice Board to fill in vacancies, which may arise during the tenure of the Juvenile Justice Board.
- (6) The social worker to be appointed as a member of the Board shall be a person who has been actively involved and engaged in planning, implementing and administering health, education or other welfare activities pertaining to children for at least seven years.
- (7) The Board shall have tenure of three years and the appointment of members shall be co-terminus with the tenure of the Board.
- (8) A social worker being a member of the Board shall be eligible for appointment for a maximum of two terms and shall not be more than 65 years of age at the time of first appointment.
- (9) The Board shall hold its sittings in the premises of an Observation Home and shall meet on all the working days of a week.
- (10) A Member may resign at any time by giving one month's advance notice in writing or may be removed from office as provided in sub-section(5) of section 4 of the Act.
- (11) The Social worker members of the Juvenile Justice Board shall be paid such travelling or meeting allowance or honorarium as the State Government may, decide from time to time.

4. Institutional Management for Juveniles in conflict with law

- (1) The State Government or voluntary organization shall set up separate observation homes for boys and girls. Separate special home shall be set up for girls above the age of 10 years and boys in the age groups of 11-15 and 16-18 years as and when required..
- (2) The following procedure shall be followed in respect of the newly-admitted juveniles; namely :-
- (a) receiving and search
 - (b) hair-cut (unless prohibited by religion), issues of toiletry items.
 - (c) disinfection and storing of juvenile's personal belonging and other valuables.
 - (d) bath.
 - (e) issue of new set of cloths, bedding and other outfit and equipment (as per rules and scales).
 - (f) medical examination and treatment, where necessary and in case any juvenile suspected to be suffering from contagious or infectious diseases, mental ailments, addiction, etc., shall be immediately segregated in specially earmarked dormitories or wards or hospitals.
 - (g) attending to immediate and urgent needs of the juvenile's like examinations, interview, letter to parent(s), personal problems etc., and
 - (h) verification by the officer-in-charge of order of the Juvenile Justice Board.

- (3) Every institution shall follow a Schedule of orientation for the newly-admitted juvenile covering the following aspects : namely :-
- a) health, sanitation, hygiene
 - b) institutional discipline and standards of behaviour, respect for elders, teachers, etc.
 - c) self-improvement opportunities, and
 - d) responsibilities and obligations.
- (4) A case history of the juvenile or a Child admitted to an institution shall be maintained which may contained information regarding their socio-cultural and economic background. This information may be collected through all possible and available sources, including home, parents or guardians, employer, school, friends and community. The educational level and vocational aptitude may also be assessed on the basis of test and interview to be conducted by the teacher, the workshop supervisor and other technical staff. The appropriate linkages may also be established with outside specialists and community-based welfare agencies, psychologist, psychiatrist, child guidance clinic, hospital and local doctors, open school, Jan Okshan Sansthan etc.
- (5) / All residents in the institution shall be given work like
- (a) self-help in maintaining their own establishment;
 - (b) cleaning of open spaces, gardening etc;
 - (c) preliminary operations for crafts.
- (6) A well-conceived programme of pre-release planning and follow up of cases discharged from special homes shall be organised in all institutions in close collaboration with existing governmental and voluntary welfare organizations.

5. Daily Routine.

Every institution shall have a well regulated daily routine for the juveniles, which shall be displayed and provide, interalia for regulated and disciplined life, personal hygiene and cleanliness, physical exercise, educational classes, vocational training, organised recreation and games, moral education, group activities, prayer and community singing. Special programmes may be organised for Sundays and holidays.

6. Diet Scale.

The State Government shall prepare diet scale to be strictly adhered to by the institution for juveniles in consultation with nutrition experts so that the diet becomes balanced, nutritious and varied. Special diet may be provided on holidays and festivals and to the sick juveniles as required.

7. Issue of clothing, bedding and other articles

Each juvenile shall be provided with clothing and bedding , including customary undergarments, towels, jersey for winter, school uniform for juveniles attending outside schools, durry bed-sheets, blanket, pillow, chappal or shoes, utensils as required; and tooth powder, soap, oil, comb, etc. as per the scale laid down by the State Government from time to time.

8. Sanitation & Hygiene - Every institution shall have the following facilities :-

- (a) sufficient and treated drinking water;
- (b) sufficient water for bathing and washing clothes, maintenance and cleanliness of the

- (g) sufficient number of in the proportion of at least one bath room for ten children;
- (h) sufficient space for washing;
- (i) cleanliness in the kitchen;
- (j) fly-proof kitchen;
- (k) sunning of bedding and clothing;
- (l) cleanliness in the Medical centre;

9. **Accommodation** :- The minimum standard of accommodation shall be as follows to the extent possible :

- (a) Dormitory -- 40 square feet per juvenile
- Classroom -- Sufficient accommodation
- Workshop -- Sufficient work space
- Play ground -- Sufficient play ground area should be provided in every institution according to the total number of juveniles in the institution.
- (b) The dormitories, class rooms and workshops shall have sufficient cross ventilation and light.

10. **Medical Care**

- (1) Every institution shall provide for the necessary medical facilities to ensure that :
 - (a) regular facilities are available for the medical treatment;
 - (b) arrangements are made for the immunization coverage; and
 - (c) a system is evolved for referral of deteriorating health or serious cases to the nearest civil hospital or treatment Centres.
- (2) Each juvenile admitted in an observation home shall be medically examined by the Medical Officer within 24 hours, and in special cases within 48 hours, giving the reasons therefore, and also at the time of transfer of the juvenile to a special home, within a similar period before transfer and further at any other time that may be considered necessary by the Medical Officer or the Officer-in-charge.
- (3) No surgical treatment shall be carried out on any juvenile without the previous consent of his parent or guardian, unless either the parent or guardian cannot be found and the condition of the juvenile is such that any delay would, in the opinion of the medical officer, involve unnecessary suffering or injury to the health of the juvenile or without obtaining direction to this effect must be obtained from the juvenile justice Board.
- (4) A health record of each juvenile in the institution shall be maintained on the basis of quarterly medical check-up.

11. **Monitoring and Evaluation of Juveniles.**

- (1) A juvenile shall be grouped on the basis of the age, physical and mental health, length of stay order, degree of delinquency and the character.
- (2) For the above purpose, a monitoring and evaluation committee shall be constituted in each institution consisting of the following personnel :

Officer-in-charge	--	Chairperson
Child Welfare Officer/Psychologist	--	Member-Secretary
Medical Officer	--	Member
Workshop Supervisor or Instructor in Vocation	--	Member
Teacher	--	Member

- (3) This committee shall periodically meet to consider and review:
 - (a) custodial care, housing, place of work, area of activity and type of supervision required ;

- (b) individual problems of juveniles, family contacts and adjustment, economic problems, and institutional adjustment etc;
- (c) vocational training and opportunities for employment ::
- (d) education, i.e health education, social education, academic education, vocational education and moral education;
- (e) social adjustment recreation, group work activities, guidance and counselling;
- (f) special instructions, collecting moral information, and special precautions to be taken, etc.;
- (g) review of progress and adjusting institutional programmes to the needs of the inmates;
- (h) planning post-release rehabilitation programme and follow up for a period of two years in collaboration with aftercare service;
- (i) pre-release preparation;
- (j) release, and
- (k) any other matter which the officer-in-charge may like to bring up.

12. Rewards and Earnings

Rewards to the juveniles, at such rates as may be fixed by the management of the home from time to time may be granted by the Officer-in-charge as an encouragement to steady work and good behaviour and at the time of release, the reward shall be handed over after obtaining a proper receipt from the parent/guardian who comes to take charge of the juvenile.

13. Visits to and communication with inmates

- (1) The parents and near relations of the juveniles shall be allowed to visit once in a month or in special cases, more frequently at the discretion of officer-in-charge. The visiting hours shall be laid down by the officer-in-charge.
- (2) The receipt of letter by the juveniles of the institution shall not be restricted and they shall have freedom to write as many letters as they like at all reasonable times. However, the institution shall ensure that where parents, guardians or relatives are known, at least one letter is written by the juvenile every month for which the postage shall be provided.
- (3) The Officer-in-charge may peruse any letter written by or to the juvenile and may for any reasons that he considers sufficient to refuse to deliver or issue the letter, may destroy the same after recording his reasons in a book maintained for the purpose.

14. Prohibited Articles:

No person shall bring into the institution the following prohibited articles:

- (a) fire-arms or other weapons, whether requiring license or not (like lathi, spears, swords etc.)
- (b) alcohol and spirit of every description
- (c) bhang, ganja, opium and other narcotic/psychotropic substances
- (d) tobacco, or
- (e) any other article specified in this behalf by the State Government by a general or special order.

- (d) The officer-in-charge shall hold an inquiry about such escape and send his report to the Board and the authorities concerned.
- (3) On the occurrence of any case of death or suicide the procedure to be adopted is as under :
- (a) If a juvenile dies within 24 hours of his admission to the institution an inquest and post-mortem examination shall be held at the earliest.
- (b) Whenever a sudden or violent death or death from suicide or accident takes place, immediate information shall be given to the officer-in-charge and the Medical Officer. The Officer-in-charge and the Medical Officer should examine and inspect the dead body. In case a juvenile dies due to causes other than natural causes or if the cause of death is not known or if the death has occurred due to suicide or violence or accident or whenever there is any doubt or complaint or question concerning the cause of death of any juvenile, the officer-in-charge shall inform the officer-in-charge of the Police Station having jurisdiction. The officer-in-charge shall also immediately give intimation to nearest Magistrate empowered to hold inquests.
- (c) The Medical Officer shall report to the officer-in-charge about the happening of the natural death of a juvenile and see that the body is decently removed to the mortuary.
- (d) In case of natural death or due to illness of juvenile of an observation home or special home the officer-in-charge shall obtain a report of the Medical officer stating the cause of death. A written intimation about the death shall be given immediately to the nearest Police Station, Juvenile Justice Board, National Human Rights Commission and the authority concerned.
- (e) The parents or guardians of the deceased juvenile shall be contacted and the officer-in-charge shall wait for 24 hours for the arrival of relatives. After the inquest is held, the body should be disposed of in accordance with the known religion of the juvenile.
- (4) In the event of custodial rape or sexual abuse, the action to be taken as follows:
- (a) In case any resident makes any complaint or occurrence of such rape or abuse comes to the knowledge of the officer-in-charge, a report shall be placed before the Juvenile Justice Board, who in turn, will order for special investigation. The Juvenile Justice Board shall direct the local police station to register case against the person found guilty under the relevant section of the IPC, 1860 (45 of 1860).
- (b) The Special Juvenile Police Unit will also take due cognizance of such occurrences and conduct necessary investigations.
- (5) In the event of any other crime committed in respect of residents, the Juvenile Justice Board will take cognizance and arrange for necessary investigation to be carried out by Special Juvenile Police Unit.

18. Leave and absence of juvenile

- (1) The juvenile of an institution may be allowed to go on leave of absence or released on license and stay with his family during examination, emergencies or special occasions like marriage in the family etc. While the leave of absence for short period not exceeding seven days excluding the journey time may be recommended by the officer-in-charge. Granting of such leave shall however, be at the discretion of the Juvenile Justice Board.
- (2) The parents or guardian of the juvenile shall submit an application to the Officer-in-charge requesting for release of the juvenile on leave, stating clearly the purpose for the leave and the period of leave. If the Officer-in-charge considers that granting of such leave is in the interest of the juvenile, he shall call for a detailed report of the Probation Officer on the advisability or otherwise and forward the case to the Juvenile Justice Board. While issuing orders sanctioning the leave of absence or release on license in prescribed form, as the case may be, the competent authority shall clearly mention the period of leave and the conditions

- i) In every institution, a register of money, valuables and other articles found with or on the person of a juvenile received therein shall be maintained which may be called the "Personal Belonging Register".
- (4) The entries made in the Personal Belonging Register, relating to each juvenile, shall be read over to juvenile in the presence of a witness whose signature shall be obtained in token of the correctness of such entries. All such entries shall be countersigned by the officer-in-charge.

16. Disposal of articles

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

17. Duties of the officer in charge

- (1) Officer-in-charge shall be responsible for the following; namely :-
 - (a) adequate security measure and periodical inspection thereof;
 - (b) proper maintenance of buildings and premises;
 - (c) prompt, firm and considerate handling of all disciplinary matters;
 - (d) careful handling of plant and equipment;
 - (e) accident preventive measure;
 - (f) fire preventive measures;
 - (g) segregation of juveniles or child suffering from continuous or infectious diseases;
 - (h) proper storage and inspection of food stuffs;
 - (i) stand-by arrangement for water storage, power plant, emergency lighting, etc.
- (2) In the event of an escape of a Juvenile or a child, the following action shall be taken namely :-
 - (a) The officer-in-charge shall immediately send the guards in search of the juvenile at places like railway stations, bus stands and other places where the juvenile is likely to go;
 - (b) The parents or guardians shall be informed immediately about such escape;
 - (c) A report shall be sent to the area Police Station along with the details and description of the juvenile, with identification marks and a photograph, with a copy to juvenile justice Board and the authorities concerned;

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If the juvenile runs away from family during the leave period, the parent or guardian are required to inform the Officer-in-charge of the institution immediately and try to trace the juvenile and if found, send the juvenile to the institution. If the parent or guardian do not take proper care of the juvenile during the leave period or do not bring the juvenile back to the institution within the stipulated period, such leave may be refused on later occasions. If the juvenile does not return to the institution on expiry of the sanctioned leave, the Board shall refer the case to police for taking charge of the juvenile and bring him back to the institution.

- (5) The period of such leave shall be deemed to be part of the period of detention in the institution. The time which elapses after the failure of a juvenile to return to the institution within the stipulated period shall be excluded in computing the period of his detention in the institution.

19. **Release**

- (1) The Officer-in-charge shall maintain a roster of the cases to be released on the expiry of the period of stay as ordered by the Board. Each case shall be placed before the Classification Committee for proper mainstreaming. With regard to cases in which the juvenile is kept for the maximum period, action may be initiated six months before they attain the age of eighteen years.
- (2) A timely information of the release of a juvenile and of the exact date of release shall be given to the parent or guardian and the parent or the guardian shall be invited to come to the institution to take charge of the juvenile on that date. If necessary, the actual expenses of the parent's or guardian's journey both ways and of the juvenile's journey from the institution shall be paid to the parent or guardian by the Officer-in-charge at the time of the release of the juvenile. If the parent or guardian as the case may be, fails to come to take charge of the juvenile on the appointed date, the juvenile shall be taken by the escort of the institution. Girls shall be escorted by a female escort.
- (3) At the time of release or discharge a juvenile may be provided with a set of summer or winter clothing as the case may be, if the Officer-in-charge deems it necessary.
- (4) If the juvenile has no parent or guardian, he may be sent to an aftercare organization or in the event of employment to the person who has undertaken to employ the juvenile.
- (5) The officer-in-charge of a girls' institution, subject to the approval of the designated competent authority, may get suitable girls above the age of 18 years married according to the procedure laid down by the competent authority from time to time.
- (6) The officer-in-charge shall order the discharge of any juvenile, the period of whose detention has expired and inform the competent authority within 7 days of the action taken. If the date of release falls on a Sunday or another public holiday, the juvenile shall be released on the preceding day, entry to that effect being made in the register of discharge. The officer-in-charge shall in appropriate cases, order the payment of subsistence money at such rates as may be fixed from time to time and the railway and road, or both, fare, as the case may be.
- (7) In deserving cases, the officer-in-charge may provide the juvenile with such small tools, as may be necessary, to start a work or business subject to such maximum cost as may be fixed.
- (8) The officer-in-charge may, subject to the approval of the competent authority, allow at their own request such girls have no place to go, to stay in the institution after the period of their stay is over, till some other suitable arrangements are made.

20. **Maintenance of case file.**

The case file of each juvenile shall be maintained in the institution containing the following informations as applicable :

- (a) report of the persons or agency who produced the juvenile before the Board;
- (b) probation officer's report;
- (c) information from previous institution;
- (d) initial interview materials, information from family members, relatives, community, friends and miscellaneous information;

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- (f) observation reports from staff members ;
 - (g) reports from Medical Officer, Intelligent Question testing, aptitude testing, educational or Vocational tests;
 - (h) social history;
 - (i) summary and analysis by officer-in-charge;
 - (j) initial classification sheet;
 - (k) instruction regarding training and treatment programme and about special precautions to be taken;
 - (l) leave and other privileges granted;
 - (m) violation of rules, regulations, special achievements; if any
 - (n) quarterly progress report from various sections;
 - (o) review sheet;
 - (p) monthly course report (in case of girls);
 - (q) pre-release programme;
 - (r) final progress report;
 - (s) leave of absence or release on license;
 - (t) final discharge;
 - (u) follow-up reports;
 - (v) central index number;
 - (w) annual photograph; and
 - (x) remarks;

Note: All the case files maintained by the institutions and the Juvenile Justice Board should be computerised and networked so that the data is centrally available.

21. Production of a Juvenile

- (1) As soon as a juvenile in conflict with the law is apprehended by the Police, the police shall place the juvenile under the charge of the special juvenile police unit or the designated police officer.
- (2) The special juvenile police unit to which the juvenile is brought, shall inform the probation officer concerned of such apprehension to obtain information regarding the antecedents and family background of the juvenile and other material circumstances likely to be of assistance to the Board for making the inquiry.
- (3) Prior to production of a juvenile before the Board, the juvenile may be placed in a safe place within the Police Station (which shall not be a lock up) or in a "place of safety".
- (4) The special juvenile police or the designated police officer shall produce the juvenile before the Magistrate or a Member or the Board within 24 hours of his apprehension (excluding the time taken to bring the juvenile from the Police Station or place of safety to the Board.
- (5) In case of delay in production before the Magistrate or the Board, the details of not doing so be recorded in the Police Dairy or General Diary.
- (6) In case a recognised voluntary organization takes a juvenile to the Juvenile Justice Board, the voluntary organization shall also inform the concerned Police Station.

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- (8) The registered voluntary organization shall prepare a report narrating the circumstances of apprehension and offence committed and produces the juvenile before the Board or Police with the report.
- (9) When a juvenile is produced before an individual member of the Board, the order given by the member shall be ratified in the next meeting of the Board.
- (10) The Police or the recognised voluntary organization shall be responsible for the safety and basic amenities to the juveniles apprehended or kept under their charge during the period they are with them.

22. Procedure to be followed by a Juvenile Justice Board in holding inquiries:

- (1) In all cases under the Act the proceedings shall be conducted in as simple a manner as possible. Care shall be taken to ensure that the juvenile against whom the proceedings have been instituted is given home like atmosphere during the proceedings.
- (2) When witnesses are produced for examination, the Board shall be free to use the power conferred by section 165 of the Indian Evidence Act, 1872 (1 of 1872), to question them so as to bring out any point that may go in favour of the juvenile.
- (3) While examining a juvenile and in respect of the special home and social and the influence to which the juvenile may have been subjected shall be elicited at ease, the true facts. The record of such examination shall be kept in such form as the Board may consider suitable having regard to the contents of the statement and circumstances in which it was made.
- (4) In every case concerning a juvenile or a child, the Board shall either obtain :-
 - i) a birth certificate given by a corporation or a municipal authority ; or
 - ii) a date of birth certificate from the school first attended ; or
 - iii) matriculation or equivalent certificates, if available ; and
 - iv) in the absence of (i) to (iii) above, the medical opinion by a duly constituted Medical Board, subject to a margin of one year, in deserving cases for the reasons to be recorded by such Medical Board.

regarding his age ; and when passing orders in such case shall, after taking into consideration such evidence as may be available or the medical opinion, as the case may be, record a finding in respect of his age.

- (5) The State Government shall recognise registered voluntary organizations, to supervise and submit periodical reports, as directed by the Board regarding the orders passed under clauses (b) and (c) of sub-section (1) of section 15 of the Act.
- (6) When a juvenile is placed under the care of a parent or a guardian and the juvenile Justice Board deems it expedient to place the juvenile under the supervision of a probation officer, it shall issue a supervision order in Form-II.
- (7) Whenever the Juvenile Justice Board orders a juvenile to be kept in an institution, it shall, forward to the Officer-in-charge of such institution a copy of its order in Form-III with any particulars of the home and parents or guardian and previous record.
- (8) Juvenile should be lodged in a home closest to where he/she belongs.
- (9) The officer-in-charge of an institution certified as special home under sub-section (1) of section 9 of the Act shall be informed in advance by the Board before any juvenile is committed to it.
- (10) The officer-in-charge of the said institution may, on receipt of the information, intimate in writing objections, if any, to the committal of the juvenile and the objections shall be fully taken into consideration by the Board before the juvenile is committed to the said institution.

(11) In case the board orders the parent of the juvenile or the juvenile to pay a fine, the amount realised will be deposited in the government treasury.

23. Procedure in respect of Section 23, 24, 25 and 26 of the Act :-

The offences against juvenile specified under Sections 23, 24, 25 and 26 shall be deemed to be bailable or non bailable besides being cognizable under the provisions of the Code of Criminal Procedure Act, 1973 (2 of 1974). The provisions of bail or otherwise, shall apply on the Police, Juvenile Justice Board and concerned accordingly.

CHAPTER III
CHILD IN NEED OF CARE AND PROTECTION

24. Child Welfare Committee:

(1) The Committee shall consist of a Chairperson and four other members as the State Government may think fit to appoint; of whom one shall be a woman, and another an expert on matters concerning children.

(2) The Chairperson and members of the committee, will be appointed on the recommendation of a Selection Committee set up by the State Government, for the purpose. The selection Committee shall consist of following seven members namely :-

i) a retired Judge of the High Court or retired Secretary to the State Government having experience in social welfare shall be the Chairperson of the Selection Committee;

ii) two representatives of reputed non Governmental Organizations working in the area of Child Welfare;

iii) a representative from an Academic Body;

iv) two representatives of the concerned department of the State Government and

v) a representative of the State Human Rights Commission or such recognised agency or cell or a retired Judicial Magistrate.

(3) The Selection Committee shall take into consideration the panel of names recommended by the concerned local authority who could be considered for selection of members of Child Welfare Committee. The selection committee will also prepare of named of each Child Welfare Committee to fill in vacancies, which may arise during the tenure of the Child Welfare Committee.

(4) A person to be selected as a member of the Child Welfare Committee shall have either of the following qualifications, besides five years experience in their respective field namely :-

(a) a respectable, well educated citizen with the background of special knowledge of social work, child psychology, education, sociology or home science; or

(b) a teacher or a doctor or a senior retired public servant who has been involved in work concerning child welfare ; or

(c) a Social Worker of repute, who has been directly engaged in child Welfare.

(5) The Chairperson of the Child Welfare Committee shall be a graduate with either of the qualifications given above in sub-rule (4)

- (8) A member may resign, any time by giving one month's advance notice in writing.
- (9) Any casual vacancy on the committee may be filled by appointment of another person from the waiting list or panel prepared by the Selection Committee and shall hold office for the remaining term of the committee.
- (10) Members of the committee shall be paid such travelling or meeting allowance or honorarium as the State Government may decide from time to time.

25. **Procedure etc. in relation to Committee :-**

- (1) The Committee shall hold its sittings in the premises of a children's Home and shall meet on at least three days a week. The quorum for the meeting shall be three members attending, which may include the Chairperson.
- (2) Any decision taken by an individual member, when the Committee is not sitting, shall require ratification by the committee in its next sitting.
- (3) Final disposal shall take place from the office of the Committee by the order of at least two members. The Committee shall take into consideration the age, physical and mental health background, opinion of the child and the recommendation of the case worker, prior to such disposal.

26. **Production of a Child before the Committee:**

- (1) Any child in need of care and protection shall be produced before the committee by one of the following persons :-
- (i) any police officer or Special Juvenile Police Unit or a designated police officer;
- (ii) any public servant;
- (iii) child line, a registered voluntary organisation, or by such other voluntary organization or an agency as may be recognised by the State Government;
- (iv) any social worker or a public spirited citizen authorised by the State Govt ;
- or
- (v) by the child himself.

(2) **Procedure:**

- (i) When any person or organization authorised under sub rule (1) above receives a child in need of care and protection, he/she/they may also produce the child before the Committee with the report of the circumstances under which the child came to their notice. Such children above two years of age, shall be produced before the Committee within 48 hours of such admission, excluding the journey time taken by the organization. For children under two years of age, the organization shall send a written report along with the photograph, within 48 hours of admission, excluding the journey time.
- (ii) In case the Committee is not sitting, the child shall be kept in a place of safety and provided with all basic facilities and adequate protection. Every possible effort shall be made to trace and associate the family and assistance of recognised voluntary organizations or childline may also be taken.
- (iii) In case a recognised voluntary organization takes a child to the Committee, they shall also submit a report on the circumstances under which the child came to their notice, and efforts shall to made by them for tracing the family.
- (iv) The committee shall make arrangement to send the child to the designated place of safety, with age and sex appropriate facilities, pending inquiry.
- (v) The child may be escorted by the police officer, representative of the voluntary organization or by any other arrangement deemed appropriate by the Committee.

- (vi) Names and addresses of all recognised children's homes along with its capacity should be listed with the committee. Age and sex and -appropriate facilities as prescribed under section 34 of the Act, shall also be mentioned in the list.
- (vii) Child should be lodged in a home closest to where he or she belongs.

27. Procedure for inquiry :-

- (1) 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 officer incharge, as the case may be of the home or any appropriate recognised agencies for conducting inquiry.
- (2) The direction for the inquiry under sub-rule(1) above must be in a prescribed Form-I.
- (3) The committee shall direct the concerned person or organization the details or particulars to be enquired into for suitable rehabilitation. The inquiry must be completed within 4 months unless special circumstances do not permit to do so in the interest of the child. Under such circumstances written extension must be taken by the inquiring officer or agency under sub-section 2 of 33 of the Act.
- (4) After completion of the inquiry at the end of the 4 months, if the child is under orders to continue in the children's home, the Committee shall carry out an annual review of the progress of the child in the home.

28. Children's Home: (1) The State Government itself or in association with Voluntary organizations shall set up separate homes for children in need of care and protection, in the manner prescribed below :

- (a) While children of both sexes below ten years, may be kept in the same home, separate facilities to be maintained for boys and girls above 5 years of age.
- (b) Separate children's homes should be set up for boys and girls in the age group 10-18 years.
- (2) Each children's home should be a comprehensive child care centre. The primary objective of this center should be to promote an integrated approach to child care by involving the community and local Non Governmental Organisations (NGOs). The activities of the centre should focus on the following:
- (a) family based services such as foster family care, adoption and sponsorship;
- (b) specialised services in conflict or disaster affected areas to prevent neglect by providing family counselling, sponsorship, play groups, etc.;
- (c) provision of childline and emergency outreach service through 1098, a free phone facility for children;
- (d) linking up with Integrated Child Development Services (ICDS) to cater to the needs of children below 6 years;
- (e) to establish linkages with organizations and individuals who can provide support services to children. The volunteers be encouraged to provide for various services for children and families to become guardian.

(3) Each children's home shall have the following facilities, namely :-

- (a) **Physical Infrastructure** :- It should include separate facilities for children in the age group 5-10 years with appropriate facilities for the infants. The facilities to be created for children

(c) **Nutrition** :- The children shall be provided 4 meals including breakfast etc. in a day. The menu shall be prepared with the help of a nutritional expert/doctor to ensure balanced diet and variety in taste. Children may be provided special meals on holidays. The diet however, in case of infants and sick children shall be according to the requirement. The normal dietary scale for children upto 18 years shall be according to scale mentioned in Rule- 6.

(d) **Medical** :- The children's home shall have arrangement for the medical facility preferably with doctor and nurse. All children brought into the home shall be medically examined initially within 24 hours of arrival. The routine medical checkup of the children must be done on monthly basis. The sick children shall constantly be under medical supervision, and in the event of break out of contagious/ infectious diseases, segregation must be ensured.

The medical service shall include immunization facility as prescribed by the National Immunization Schedule. The home shall have networking with local doctors/ hospitals for referral cases.

The medical record of each child shall be meticulously maintained in the file of the child. The record shall also include weight and height record, any sickness and treatment, and other physical/mental problem, if any.

(e) **Education**:- The children's home shall provide education to all children according to the age and ability, either both inside the home or outside, as per the requirement.

(f) **Vocational Training**:- Each home shall facilitate for useful vocational training under the guidance of trained instructors. The home shall develop networking with Institute of Technical Instruction (ITI), Jan Shikshan Sansthan, Government and Private Organization/ Enterprises, Agencies /Non-Governmental Organisations (NGOs) with expertise or placement agencies.

(g) **Counselling** :- Each home shall have the services of a trained counsellor. Services of Child Guidance Centres, Psychology and Psychiatric Departments or similar Agency may also be availed.

(h) **Recreation facilities**:- It must include indoor and outdoor games, music, television, picnics and outings, cultural programmes etc.

(i) **Care Plan**:- The incharge, counsellor along with the child welfare officer, case worker, or social worker shall prepare a Care Plan for every child in the home. The care plan shall be reviewed from time to time for appropriate development and rehabilitation including options for restoration to family/ foster care/ adoption and review shall not be delayed beyond a year. The focus should be on providing family and community based re-integration programmes. Children should be consulted while determining their care plan.

(j) **Intake Procedure**:- Every new child who is brought to home, shall immediately be taken charge of by the counsellor/child welfare officer/ designated officer, as the case may be. The child shall be received with due care as provide under these rules, with dignity and love. A brief orientation shall be given to the child on induction to remove any inhibition from the mind of the child. The child shall be immediately given bath, clothing, food etc. and medically examined. The designated officer shall enter the name of the child in the Admission Register and allocate appropriate accommodation facility. The photograph shall also be taken immediately for records and the case worker shall begin the investigation and correspondence with the person, the child might have named.

The Officer in charge shall see that the personal belongings of every child received by the home is kept in safe custody and recorded in the Personal Belonging Register and the item must be returned to the child when he leaves the home. The girls child shall be searched by a female member of the staff, and with due regard to decency. The articles mentioned under rule- 14 of these rules shall also be prohibited in case of children's homes.

(k) In the event of a child, leaving the home without permission, the information shall be sent to the police and the family, if known. The detailed report along with the efforts to trace the child shall be sent to the committee for information in the subsequent sitting of the committees.

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- (l) In the event of death of a child, the circumstances of the death shall be recorded in the case file of the child by the case worker giving the cause of death and the death certificate shall be obtained from the attending doctor or hospital, as the case may be. The information shall be sent to the Committee and District level Inspection Team, Registrar of Births and death and the relative, if known. The last rites shall be performed according to the known religion of the child.
- (m) In the event of custodial rape or sexual abuse, the action to be taken shall be as follows :-
- (i) In case any resident makes any complaint or occurrence of such nature comes to the knowledge of the officer-in-charge, a report shall be placed before the Child Welfare Committee, who in turn, will order for special investigation. The Child Welfare Committee shall direct the local police station to register case against the person found guilty under the relevant section of the Indian Penal Court (IPC).
- (ii) The Special Juvenile Police Unit will also take due cognizance of such occurrences and conduct necessary investigations.
- (n) In the event of any other crime committed in respect of residents, the Child Welfare Committee will take cognizance and arrange for necessary investigation to be carried out by Special Juvenile Police unit.
- (o) Record keeping - all the case files of the children maintained by the institutions and the juvenile Welfare Committee shall be computerised and networked so that the data is centrally available.
29. **Inspection:-** The State government shall constitute state or district or city level inspection teams through Selection Committee, constituted under sub-rule (2) Rule 24 (2), for a period of 3 years to visit and oversee the day to day function of the Homes and give suitable directions to be followed by them. The team shall also make suggestions for the improvement and development of the institution. The team shall consist of a minimum of five members from the representatives of the State Government, Local Authority, Child Welfare Committee, medical and other experts, voluntary Organisations and reputed social workers. The inspection visit will be carried out by not less than three members. The team may visit the homes either by prior intimation or by surprise. The team shall interact with the children during the visits to the institution to determine their well being and uninhibited feed back. The follow up action on the findings and suggestion of the children shall be taken by all concerned authorities.
30. **Social Auditing:-** The State Government shall monitor and evaluate the functioning of the Children's Homes annually with the help of leading organizations working with the children, besides, autonomous bodies like National Institute of Public Cooperation and child development, Indian Council for Child Welfare, Indian Council for Social Welfare, Indian Social Institute, Childline India Foundation, National Institute of Social Defence, Central and State Level Social Welfare Board, School of Social Work etc.
31. **Shelter Homes:** (1) For the children in urgent need of care and protection, such as destitute, street children, run-away children etc. the State Govt. shall support creation of the requisite number of shelter homes/ drop-in-Centres through voluntary Organisations.
- (2) Such Homes/ Centres should have the minimum facilities of boarding /lodging besides the provision for fulfilment of basic needs in terms of clothing, food, health care and nutrition etc. Such children in crisis situation may live in short-stay homes which may have the requisite facilities for education, vocational training and

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- (4) The services of officer incharge, child welfare officer, social worker shall be provided for the proper care, protection, development, rehabilitation and reintegration needs of such children.
- (5) No child shall ordinarily stay in the home/ drop-in-center for more than a year, case of Govt. funding.

32. **Transfer** :- (1) During the enquiry, if it is found that the child hails from the place outside the jurisdiction of the Committee, the Committee shall order the transfer of the child to the competent authority having jurisdiction over the place of residence of the child.

- (2) No transfer shall ordinarily be proposed only on the ground that the child has created problems or is difficult to be managed in the existing institution.
- (3) Transfer for restoration or enquiry for all proceedings in respect of a child from one state to any other may also be ordered by the Local Authority, after obtaining concurrence from the Child Welfare Committee. No child shall be transferred out of the district/city for the purposes of adoption without the concurrence of the Child welfare Committee.
- (5) On receipt of transfer order from the local authority, the officer in-charge shall arrange to escort the child at the Government cost to the place/person as specified in the order. The child case file and records shall be sent along with the child.

CHAPTER IV

REHABILITATION AND SOCIAL REINTEGRATION

33. **Adoption** :- (1) As the family is the best option to provide care and protection for children, adoption should be the first alternative for rehabilitation and social re-integration of children who are orphaned, abandoned, neglected and abused.

- (2) The guidelines on adoption issued by the State Government and the Central Adoption Resource Agency (CARA) from time to time shall apply.
- (3) The State Government shall recognise Children's homes or state run Government homes for orphans as adoption agencies both for security and placement of such children for in country adoption.
- (4) In the case of inter-country adoption, the procedure laid down by the Central Adoption Resource Agency (CARA) shall apply.
- (5) However, the scrutiny shall be done independently by an agency recognised for this purpose. The scrutinising agency will examine all available informations and verify the background of the child before making a recommendation to the Board for adoption of the child.
- (6) Any child who is eligible for adoption and residing in unrecognised homes, for the purpose of adoption, should be transferred to a recognised home.
- (7) An abandoned child can be given in adoption only when the Child welfare Committee declares such a child to be legally free for adoption. An abandoned child shall be legally free for adoption when such an order to that effect is signed by at least two members of the Child Welfare Committee.
- (8) Before declaring the child as abandoned and certifying him/her as legally free for adoption, the Child Welfare Committee shall institute a due process of enquiry which shall include:-

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- a) A thorough enquiry by the probation officer/case workers/police, as the case may be, shall be conducted and a report containing findings submitted within a maximum period of 1(one) month.
 - b) Declaration by the placement agency stating that there has been no claimant for the child even after making notification in, at least one leading newspaper including a regional language newspaper, Television and Radio announcement and after waiting for a period of one month, the time which shall run concurrently to the inquiry to be conducted and report to be given as mentioned at 33(8)(a) above.
 - c) The Child Welfare Committee shall make a release on declaring the child legally free for adoption within the period of 5 weeks that the date of application in the case of children below the age of 2 years and 3 months in the case of children above that age.
 - d) No child above seven years who can understand and express his or her opinion shall be placed in adoption without his/her consent.

(9) **Role of licensed or recognised Government and Non-Government agencies for adoption**

- (a) In the case of an abandoned child the recognised agency shall within 48 hours report to the Child Welfare Committee along with the copy of the report filed with the police station in whose jurisdiction the child was found abandoned.
- (b) The adoption agency may initiate the process of clearance at the earliest, in the case of abandonment of children, for the purpose of adoption within a period of two months and for placing application before the Committee for declaring the child legally free for adoption.
- (c) In case of a child surrendered by his or her biological parent/parents by executing a document of surrender as prescribed, the adoption agency shall make an application directly to the Juvenile Justice Board for giving the child in adoption. However, the adoption agencies shall wait for completion of two months reconsideration time given to the biological parent/parents. However, serious efforts will be made for counselling the parents so as to persuade them to retain the child. If parents still are unwilling to retain then such children should be kept initially in foster care or arranged for their sponsorship.
- (d) In the case of a surrendered/abandoned child who is legally free for adoption, the licensed agency shall have discretion to place the child in pre-adoption foster care under intimation to the Juvenile Justice Board within one week on its placement pending the final order.

(10) **Role of Juvenile Justice Board:**

- a) After receiving an application from a recognised agency for adoption, the Board shall call for an independent enquiry by a recognised scrutiny agency. The scrutiny report shall be submitted within a period of two weeks.
- b) The Board shall undertake a process of enquiry which will include interviewing the prospective parents, verifying the documents and scrutiny reports. If the Board is satisfied that the placement is in the best interest of the child, it will pass a final order giving permanent custody of the child to the adoptive parent/parents. An order of adoption shall be signed by the Judicial 1st Class Magistrate beside at least one of the two members of the Board.
- c) The Board shall determine and fix the date of birth, in the best interest of the child

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34. **Foster care** :- (1) A child to be placed under short term foster care shall be done according to the procedure laid down under rule 33(9) (d) above. The short-term foster care period shall not exceed four months.

- (2) The temporary foster care shall be carried out as given in section 42(2) of the Act by the competent authority under supervision of probation officer/ case workers/ social worker, as the case may be, in a prescribed form-11. The total period of temporary foster care shall not exceed five years.
- (3) The following criteria shall be applied for selection of families for temporary foster care:
 - (a) foster parent(s) should have stable emotional adjustment within the family;
 - (b) foster parent(s) have an income to meet their needs and not be dependent on the foster care maintenance payment. The monthly family income shall not be less than Rs.5000/- per month ;
 - (c) Medical reports of all the members of the family residing in the premises should be obtained including check up on Human Immuno Deficiency Virus (HIV), Tuberculosis (TB) and Hepatitis B to determine that they are medically fit. An update should be done at regular intervals of not less than once in a calendar year;
 - (d) the foster mother should have experience in child caring and the capacity to provide good child care;
 - (e) the foster mother should be physically, mentally and emotionally stable;
 - (f) the home should have adequate space and physical facilities;
 - (g) the foster care family should be willing to follow rules laid down including regular visits to paediatrician, maintenance of child health, record etc.;
 - (h) the family should be willing to sign an agreement and to return the child to the agency whenever called to do so;
 - (i) the foster mother should be willing to attend training/orientation programmes;
 - (j) the foster parent(s) should be willing to take the child for regular (at least once a month in the case of infants) checkups to a paediatrician approved by the agency.
- (4) There should be regular monitoring and supervision carried out by the Probation Officer/Child Welfare Officer, as the case may be.

35. **Sponsorship**:- (1) The Children's homes and special homes shall promote a sponsorship programmes as laid down in section 43 of the Act.

- (2) The homes receiving sponsorship, shall maintain proper and separate accounts of all the receipts and payments for the programme.

36. **After Care Organization**:

- (1) The after Care Organization, as outlined in the Act, are to take care of juveniles or children after they leave special homes and children's homes. These after care organizations are essential for all children/youth between the ages of 18-20 years. The 18-20 year age group is when youth are most vulnerable and need care, guidance and protection.
- (2) The objectives of these homes shall be to enable such children to adapt to the society and during their stay in these transitional homes these children will be encouraged to move away from an institution based life to a normal one.
- (3) The target groups will include juveniles or children who have either left special homes or children's homes.

- (4) The key components of the model include setting up of temporary homes for a group of youths, who can be encouraged to learn a trade and contribute towards the rent as well as the running of the home. There shall also be provision for a peer counsellor. This counsellor will be in regular contact with these youths to discuss their rehabilitation plans and provide creative outlets for their energy, to tide over crisis periods in their life.
- (5) The programmes under the scheme would include:
- i) Facilities employment generation for these youths will be a key programme. After a youth has saved a sufficient amount, he/she can be encouraged to stay in a place of his/her own and move out of the group home. Additionally the youth may continue staying in the home and return the deposit to the Non-Governmental Organisations (NGOs). The youth learning a vocational trade could be given a stipend. This would be stopped once the youth gets a job.
 - ii) Loans to these youth to set up entrepreneurial activities would also be arranged.
 - iii) A peer counsellor shall also be made available for youth at these homes. Since at this stage of life they can be lured into crime or drug dependence and such other habits or deviant behaviour, hence the need for a counsellor.
- (6) The strategy for children who have been juveniles or have left special homes shall be to help them to return to normal life and adjust and adapt to their environment. There should be provision for vocational training of these children to enable them to sustain themselves through their own efforts.
- (7) **Structure:-** One peer counsellor can be made in-charge of a cluster of 5 homes. Each home may house 6-8 youths who could opt to stay together on their own.

CHAPTER -V MISCELLANEOUS

37. **Recognition of fit person or fit institution:-** (1) Any individual or a suitable place or institution, the occupier or manager of which is willing temporarily to receive a juvenile/child in need of care, protection or treatment for a period as may be necessary, may be recognised by the Competent Authority as a fit person or as fit institution.
- (2) Any association or body of individuals, whether incorporated or not, established for or having for its object the reception or protection of juveniles or children or the prevention of cruelty to juvenile and which undertakes to bring or to give facilities for bringing up any juvenile entrusted to its care in conformity with the religion of his birth, may be included within the meaning of fit institution.
 - (3) A list of names and the addresses of persons and fit institutions approved by the Competent Authority shall be kept in the office of the Board/ the Committees and shall be used when necessary.
 - (4) After committal of juvenile/child by the competent authority to an institution recognized as a fit institution with collateral branches, the manager of such institution may send the juvenile to any of the branches of such institution after giving an intimation to the competent authority under whose orders the juvenile/child was committed.

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38. **Certification/recognition and transfer of Management of Institutions** :- (1)(a) If the management of any organization desires that its organization may be certified or recognized under the Act, the same shall make a written application together with a copy each of the rules, bye-laws, articles of association, list of members of the society or the association running the organization, office bearers and a statement showing the status and past record of social or public service of the organization and the society running the organization to the State Government who shall after verifying the provisions made in the organization for the boarding and lodging, general health, educational facilities, vocational training and treatment services may grant certification or recognition ractify under section 8, 9, 34, 37 and 44 of the Act, as the case may be, on the condition that the organization comply with the standards or services as laid down under the act and the rules framed their under from time to time and to ensure an all round growth and development of juveniles/child placed under its charge:
- (b) The State Government may transfer the management of any State run institution under this Act to a voluntary organization of repute who has the capacity to run such an institution and certify that said voluntary organization as a fit institution to own the requisite responsibilities. This should be done under a memorandum of Understanding for a specified period of time.
 - (c) The institution and the infrastructure already available with the State Government in relation to the earlier act of 1986 shall be suitably used for implementing this Act.
 - (2) The State Government may, if dissatisfied with the conditions, rules, management of the organization certified or recognized under the Act, at any time by notice served on the manager of the organization declare that the certificate or recognition of the organization as the case may be shall stand withdrawn as from a date specified in the notice and from the said date the organization shall cease to be an organization certified or recognized under Section 8, 9, 34, 37 and 44 of the Act, as the case may be provided that the concerned organisation shall be given an opportunity of making a representation in writing within a period of thirty days against the ground of withdrawal of certificate or recognition of that organisation.
 - (3) The decision to withdraw or to restore the certificate, or recognition of the organization may be taken on the basis of a thorough investigation by a specially constituted advisory board under section 62 of the Act. On the report of the advisory board, the officer in charge of the home shall be asked to show cause so as to give an explanation within 30 days.
 - (4) When an organization ceases to be an organization certified or recognized under Section 8,9,34,37 or 44 of the Act, the juvenile/child kept therein shall under the orders of the designated officer empowered in this behalf by the State Government be either :
 - a) discharged absolutely or on such conditions as the officer may impose: or
 - b) transfer to some other institution established, certified or recognized under Section 8,9,34,37 or 44 of the Act, in accordance with the provisions of the Act and the rules relating to their discharge and transfer, intimation of such discharge or transfer shall be given to the Board or the Committee as the case may be.
39. **Grant in aid to certified or recognized organization** :- (1) An organization certified or recognized under sections 8,9,34,37 or 44 of the Act may during the period of certification or recognition is in force, may apply for grant-in-aid by the State Government for the maintenance of juvenile/child received by them and or the provisions of the Act and for expenses incurred on their education, treatment, vocational training, development and rehabilitation. The grants-in-aid may be admissible at such rates, which shall be sufficient to meet the prescribed norms in such manner and subject to such conditions as may be mutually agreed by both the parties.
- (2) In case of transfer of management of government run homes under section 8,9,34, and 37 of the act to voluntary organization, the same budget which the government was spending on that home, shall be given to the voluntary organizations as grant-in-aid under the memorandum of understanding signed between both the parties describing other role and obligations.

40. **Admission of outsiders:-** No stranger shall be admitted to the premises' of the institution, except with the permission of the Chief Inspector or officer in charge.
41. **Identity Photos:** On admission to a home established under the Act, every juvenile/child shall be photographed and three copies of the photograph shall be obtained. One photograph shall be kept in the case file of the juvenile/child, one shall be fixed with the index card and the third copy shall be kept in an album serially. The negative shall be kept in another album.
42. **Police Officers to be in plain clothes :-** While dealing with juvenile/child under the provisions of the Act or these rules, except at the time of arrest, the Police Officer shall wear plain clothes and not the police uniform.
43. **Prohibition of the use of handcuffs and fetters :-** No juvenile/child dealt with under the provisions of the Act and under these rules shall be handcuffed or fettered.
44. **Visitor's Book :-** A Visitor's Book shall be maintained in which the persons visiting the home shall record the dates of their visits with remarks or suggestions, which they may think proper. The officer-in-charge shall forward a copy of every such entry to the designated authority and the local authority with such remarks as he may desire to offer in explanation or otherwise and thereon the designated authority shall issue such orders as may be deemed necessary.
45. **Maintenance of Registers :-** The officer incharge shall maintain in his office such registers and forms as may be prescribed by the Act and Rules.
46. **Procedure for sending a juvenile/child outside the jurisdiction of the competent authority:**
- (1) In the case of a juvenile/child whose ordinary place of residence lies outside the jurisdiction of the competent authority and if the competent authority deems it necessary to take action under section 50 of the Act, it shall direct a probation officer to make inquiries as to the fitness and willingness of the relative or other person to receive the juvenile/child at the ordinary place of residence and whether such relative or other fit person can exercise proper care and control over the juvenile/child.
 - (2) Any juvenile/child who is a foreign national and who has lost contact with the family shall also be entitled for protection. The juvenile/child shall be repatriated, at the earliest, to the country at his origin in co-ordination with the Ministry of External Affairs and respective Embassies or High Commission.
 - (3) On being satisfied with the report of the probation officer/case worker/child welfare officer as the case may be, the competent authority may send the juvenile/child, if necessary on execution of a bond by the juvenile as nearly as in form V to the said relative or fit person on giving an undertaking by the said relative or fit person in form VI.
 - (4) A copy of the order passed by the competent authority under section 50 shall be sent to:
 - a) the probation officer who was directed to submit a report under sub rule (1)
 - b) the probation officer, if any, having jurisdiction over the place where the juvenile/child is to be sent,
 - c) the competent authority having jurisdiction over the place where the juvenile/child is to be sent, and
 - d) the relative or the persons who is to receive the juvenile/child.



- (7) In the case of a juvenile/child where the competent authority deems it expedient to send the juvenile/child back to his ordinary place of residence under section 50, the competent authority shall inform the relative or the fit person who is to receive the juvenile/child accordingly and shall invite the said relative or fit person to come to the home to take charge of the juvenile/child on such date as may be specified by the competent authority.
- (8) The competent authority inviting the said relative or fit person under sub-rule (7) may also direct, if necessary, the payment to be made by the officer incharge of the home of the actual expenses of the relative or fit person's journey both ways by the appropriate class and the juvenile's/child's journey from the home to his ordinary place of residence, at the time of sending the juvenile/child
- (9) If the relative or the fit person fails to come to take charge of the juvenile/child on the specified date the juvenile/child shall be taken to his ordinary place of residence by the escort of the observation home in the case of a girl at least one escort shall be a female.

47. **Mode of Dealing with Juvenile/child suffering from dangerous diseases or mental complaint:**

- (1) When a juvenile/child kept in a home under the provisions of the Act or placed under the care of a fit person or a fit institution is found to be suffering from a disease, requiring prolonged medical treatment or physical or mental complaint that will respond to treatment or is found addicted to a narcotic drug or psychotropic substance, the juvenile/child may be removed by an order of the authority empowered on this behalf to an approved place set up for such purpose for the remainder of the term for which he has to be kept in custody under the order of the competent authority or for such period as may be certified by medical officer to be necessary for the proper treatment of the juvenile/child.
- (2) Where it appears to the authority ordering the removal of the juvenile/child under sub-rule (1) above that the juvenile/child is cured of the disease or physical or mental complaint he may, if the juvenile/child is still liable to be kept in custody, order the person having charge to send juvenile/child to the home or fit person from which or from whom he was removed or if the juvenile/child is no longer liable to be kept in home, order him to be discharged.
- (3) Where action has been taken under sub rule (1) in the case of a juvenile/child suffering from an infectious or contagious disease, the authority in empowered under the sub rule (1), before restoring the said juvenile/child to his partner in marriage or to the guardian as the case may be, shall where it is satisfied that such action will be in the interest of the said juvenile/child call upon the partner in marriage or the guardian as the case may be, to satisfy it that such partner or guardian will not re-infect the juvenile/child.
- (4) If there is no organization either within the jurisdiction of the competent authority or nearby state for sending the juvenile/child suffering from dangerous diseases as required under section 58 of the Act, necessary organization shall be set up by the state Government at such places as may be deemed fit by it.

48. **Personnel Organization/ Staff of a Home** :- (1) The personnel strength of a home shall be determined according to the duty, posts, hours of duty per day as the base for each category of staff. The institutional organizational set up shall be fixed in accordance with the size of the home, the capacity, work load, distribution of functions and requirements of programmes.

- (2) The whole time staff in a home may consist of Superintendent / Project Manager, Probation Officer (in case of Observation Home /Special Home), case Workers (in case of children's home /shelter home/after care organization), Child Welfare Officers, counselor, Educator, vocational Training instructor, Medical staff Administrative staff, care takers, house father/house mother, store keeper, cook, helper, washerman, safai karamchari, gardener as required
- (3) The part-time staff, shall include Psychiatrist, Psychologist, occupational therapist, and other professionals as may be required by time to time.
- (4) The staff of the home shall be subject to control and overall supervision of the superintendent / Project Manager, who by order shall determine their specific responsibilities and shall keep the concerned authority informed of such orders made by him from time to time. The duties and responsibilities of the staff under him shall be fixed in keeping with the statutory requirements of the Act. The superintendent or the Project Manager and such other staff who may be required, shall live in the quarters provided for them within the premises of the home.
- (5) The number of posts in each category of staff shall be fixed on the basis of capacity of the institution. The staff shall be appointed in accordance with the educational qualifications, training, experience, etc. required for each category. The suggested staffing pattern for an institution with a capacity of 100 juveniles/children could be as mentioned below:-

Sl. No.	Designation	No. of posts
1	Superintendent/ Project Manager	1
2	Counsellor	2
3	Case Worker/Probation Officer	3
4	House Mother/House Father	4
5	Educator	2 (voluntary/part-time)
6	Vocational Instructor	1
7	Doctor	1 (part-time)
8	Paramedical staff	1
9	Store Keeper cum Accountant	
10	Driver	1
11	Cook	2
12	Helper	2
13	Sweeper	2

The number of posts in the category of counselor, case worker/ probation officer, house father/house mother, educator, and vocational instructor shall proportionally increase with the increase in the capacity of the institution.

49. Special Juvenile Police Unit and Juvenile / Child Welfare Officer :-

- 1) The State Government shall appoint juvenile police unit at the district and a Juvenile /child welfare officer shall be designated in term of section 63 of the Act at the level of police station.
- 2) The special juvenile police unit at the district level shall function under a juvenile police officer (of the rank of Inspector of Police) and two paid social workers of whom one shall be a woman and another preferably child expert or having relevant experience.
- 3) The Special Juvenile police unit at other places would be aided by two or more honorary social workers.
- 4) The special juvenile police units would be assisted by recognized voluntary organizations who will help them in identifying juveniles and helping the juveniles/children under the Act.

50. **Honorary / Voluntary Probation Officer :-**To augment the existing probation service, probation officers may be appointed from the voluntary organization and social workers found fit for the purpose by the competent authority. Similarly honorary and voluntary probation services may also be co-opted into the implementation machinery by the orders of the competent authority.

51. **Responsibilities of the local authorities :-** The State Governments may delegate powers to local authority under section 66 of the act to carry out the following responsibilities namely :-

- a) recommending the panel of names to the selection committee for appointment of social workers for the Board, Chairperson and members of the Child Welfare Committee, District and City Advisory Boards under Rules 24 .
- b) to designate its responsibilities for the inspection committee under sub sect(2) of section 35 of the Act.
- c) to visit the institution and make suggestion for the improvement and development of institutions under sub sec(2) of section 35 of this Act.
- d) to give order for inter-state transfer of Juvenile/Child with prior intimation to Board/committee under section 57 of the Act.
- e) to creat funds for the maintenance, education, training and rehabilitation of juvenile/child under the Act.

52. All functionaries under the Act including the members of the voluntary organization and social worker, etc., shall be deemed to be public servant and hence he legally accountable for the performance of the duties assigned to them.

53. **Key Duties of the Officer incharge of Homes :-** (1) The general duties, functions and responsibilities of the officer incharge shall be as follows :-

- a) Providing homely atmosphere of love, affection care development and welfare and welfare of juveniles/children ;
- b) Planning implementation and co-ordinating all institutional activities programme and operations ;
- c) Maintaining minimum standards in the Home ;
- d) Monitoring of juveniles/children, as the case may be, training and treatment programmes and correctional activities.
- e) Supervision over juveniles/child discipline and moral well being ;
- f) Allocation of duties to personnel ;
- g) Attending to personnel welfare and staff discipline .
- h) Preparation of budget and control over financial matters .
- i) Supervision over office administration ;
- j) Monthly office inspection ;
- k) Daily inspection and round of institution ;
- l) Inspecting and tasting food prepared for juvenile /child .
- m) Take prompt action to meet emergencies ;
- n) To take appropriate rehabilitation measures.

54. **Key Duties of the Probation Officer :-** (1) On receipt of information from the officer incharge, the special juvenile police unit under clause (b) section of 13 of the Act the probation officer shall inquire into the antecedents and family history of the juvenile/child and such other material circumstances, as may be necessary and submit a social investigation report as early as possible in Form VIII to the Board.

- (2) Every make inquires regarding the home and school conditions, conduct, character and health of juvenile/child under their supervision ;
- b) to attend regularly the proceeding of Juvenile Justice Board and submit report;
- c) to maintain diary case file and such register as may be prescribed from time time ;
- d) to visit regularly the residence of the juvenile/child under their supervision and also places of employment or school attended by such juveniles/children and to submit fortnightly reports as prescribed in Form IX ;

- f) to bring before the board/committee, immediately juveniles/children who have not been of good behaviour during the period of supervision;
 - g) follow-up of juveniles or children after their release from the organization and extending help and guidance to them .
 - h) establishing linkages with voluntary workers and organizations to facilitate rehabilitation and social reintegration of juveniles/children and to ensure the necessary follow up .
 - i) ensuring that the children's need of food and cloth are met as per standard.
 - j) ensuring the cleanliness of the premises and maintenance of physical infrastructure including provisions of water and electricity etc.
- (3) The probation officers shall not employ a juvenile/children under their supervision for their own purposes or take any private service from them.

55. Key Duties of Case Workers/Child Welfare Officer:- The general duties, functions and responsibilities of Case Workers/Child Welfare Officer shall be as follows:-

- a) Making social investigation of the juvenile/child through personal interview and from the family, social agencies and other sources;
- b) Clarifying problems of the juvenile/child and dealing with their difficulties in institutional life;
- c) Participating in the orientation, monitoring, education, vocational and rehabilitation programmes;
- d) Establishing cooperation and understanding between the juvenile/child and the officer incharge;
- e) Assisting the juvenile/child to develop contacts with family and also providing assisting to family members;
- f) Participating in the pre-release programme and helping the juvenile/child to establish contacts which can provide emotional and social support to juvenile/child after their release.
- g) ensuring that the children's need of food and cloth are met as per standard;
- h) Ensure the cleanliness of the premises and maintenance of physical infrastructure including provisions of water and electricity etc;

56. Key Duties of House Father/House Mother:-(1)The general duties, functions and responsibilities of care takers shall be as follows:

- a) Handling juvenile/child with love and affection.
- b) Taking proper care and welfare of juvenile/child;
- c) Maintaining discipline among the juvenile/children
- d) Maintenance, sanitation and hygiene;
- e) Implementing daily routine in an effective manner and ensuring children's involvement;
- f) Looking after the security and safety arrangement of the home;

2-14

g) Escorting juveniles/children whenever they go out of the home

57. **Training of Personnel :-** The State Government/officer incharge shall provide for training of personnel of each of category of staff in keeping with their statutory responsibilities and specific jobs requirements. The training programme shall include -

- a) Orientation and Training of the newly recruited staff.
- b) Refresher training courses for every staff member at least once in every five years ; and
- c) Staff conference, seminars, workshops, along with the various components / functionaries of the Juvenile justice system, and the State government at various levels of personnel organization.

58. **Advisory Boards:-** (1) The Central and the state government shall constitute Advisory Board at various levels for a period of 3 years. The National Advisory Board shall be constituted through the Ministry of Social Justice and Empowerment. The state government shall constitute the State Advisory Board, District Advisory Board and the city Advisory Board. All the Boards shall hold at least two meetings in a year. These advisory Boards shall also inspect the various institutional or non institutional services in their respective jurisdictions and the recommendations made by them shall be acted upon by the central Government the State Government and the Local Authorities.

(2) The Central Government through the Ministry of Social Justice and Empowerment (MSJ&E) shall set up the National Advisory Board to be headed by the Minister of concern and shall consist of the Secretary, MSJ&E, representatives from state governments, leading NGOs, Children's institution and Academic Institutions, as members. A designated Official of the MSJ&E shall function as the Member Secretary.

(3) The State Government through the Selection Committee constituted under sub-rule(2) of Rule 24 shall set up State, District and City levels Advisory Boards and shall consist of members of the competent authority, academic institutions, locally respectable and spirited citizens, representatives of NGOs and representative of local authority. The representative of the local authority shall act as secretary. The inspection committee constituted under section 35 of the Act shall function as district or city Advisory Board in terms of sub section (3) of section 62 of the Act

(4) The termination, resignation or other vacancy cause in advisory board & appointment of new members therein shall be done in the same manner as is done in case of child welfare committee.

59. **Openness & Transparency :-** (1) All the Children's Homes shall be open to visitors with the

The Superintendent of the Home shall encourage active involvement of local community in improving the conditions in the Homes. If the members of the community want to serve the institutions or want to contribute through their expertise.

- (2) The Superintendent/Project Manager shall maintain a visitors book. The remarks of the visitors given there in shall be considered by the Advisory Inspecting Authority.
- (3) While visiting as institution, the visitors will not say or do anything that undermines the authority of the superintendent/project manager or is in contravention of the Act or rules or impinges on the human dignity of the child.
- (4) The visitors may be allowed to visit observation homes and special homes also with the permission of the competent authority.

60. Juvenile Justice Fund : (1) the state government shall create a fund at state level under section 61 of the act to be called the 'Juvenile Justice Fund' (here in after in this rule referred to) for the welfare and rehabilitation of the juvenile/child dealt with under the provisions of the Act besides voluntary donation, the central govt. shall also make contribution to state level Juvenile Justice Fund

- (2) The fund shall be applied :
 - (a) to implement programmes for the welfare and rehabilitation of juvenile/children.
 - (b) to pay grant -in -aid to Non Governmental ;
 - (c) to meet the expenses of State Advisory Board and its purpose;
 - (d) to do all other things that are incidental and conducive to the above purposes.
- (3) The management and administration of the fund, shall be under the control of the State Advisory Board under Sub-section (3) of section 61 of the Act.
- (4) The assets of the fund shall include all such grants and contributions, recurring or non-recurring, from the central and state governments or any other statutory or non-stautory bodies set up by the central or state government as well as the voluntary donations from any individual or organizations.
- (5) All withdrawals shall be made by cheques or requisition, as the case may be, signed by the Secretary-cum-Treasurer in the case of amounts not exceeding Rs. 1,000/- (Rupees one thousand) and signed duly by the Secretary-cum-Treasureer and other member of the board of management to be nominated by the State Advisory Board
- (6) The regular accounts shall be kept of all money and properties and all incomes and expenditure of the Fund and shall be audited by a notified firm of Charatered Accountants or any other recognized authorities as may be appointed by the Board. The auditors shall also certify the expenditure from the funds shall be kept by the Secretary-cum-Treasurer. All contracts and other

assurances shall be in the name of the board of management and signed on their behalf by the Secretary-cum-Treasurer and one member of the board of the management authorized by it for the purpose.

(7) The Board of Management shall invest the proceeds of sale or other disposal of the property as well as any money or property not immediately required to be used to serve the objective of the Fund in any one or more of the modes of investment for the time being authorized by law for the investment of trust moneys as the Board of Management may think proper.

(8) The Board of Management may delegate to one or more of the members such of its powers, which in its opinion are merely a procedural arrangement.

61. **Disposal of records/documents:** - The records/documents in respect of juvenile/child should be kept in a safe place for a period of 7 years and thereafter be destroyed with the help of Juvenile Justice Board / Child Welfare Committee.

62. **Repeal and Saving :-** The Juvenile Justice Arunachal Pradesh, 2005 will be in force within the State of Arunachal Pradesh with effect from the date of issuance and shall stand repealed immediately after the enforcement of these Rules.


Provided that any action taken, order issued, by-law made under the provisions of these rules thereby repealed shall, in so far as it is not-in-consistent with the provisions of these rules be deemed to have been taken or issued or made under the provisions of these rules.

Sd/-(Tabom Bam)
Chief Secretary
Govt. of Arunachal Pradesh
Itanagar.
Dated

Memo No. SW-0029/2005

Copy to :-

1. All DCs/ADCs, Govt. of Arunachal Pradesh for information.
2. The Director, General of Police, Govt. of Arunachal Pradesh for information.
3. All Superintendent of Police of Arunachal Pradesh for information.
4. All Heads of Department Govt. of Arunachal Pradesh.
5. P.S. to Hon'ble Minister/MLAs of Arunachal Pradesh.
6. The Director, IPR, Naharlagun for Publication in the next Gazettee.
7. All Commissioner/Secretaries Arunachal Pradesh.


(Tape Bagra)
Secretary
Social Welfare, Women & Child Dev. Deptt.
Govt. of Arunachal Pradesh
Naharlagun.

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Sec - 34 (2)

FORM - 1

(Sub Rule (2) of Rule: (27)

To,

Probation Officer / Person in-charge Voluntary Organisation / Social Worker / Case Worker

whereas (1) a report/complaint under section of the Juvenile Justice (Care and Protection of children) Act, 2000 has been received from in respect of (name of the Juvenile/child) son/daughter of Residing at

(2) son/daughter of residing at has been produced before the Board / Committee under section of the Juvenile Justice (Care and Protection of Children) Act, 2000.

You are hereby directed to enquire into the character and social antecedents of the said juvenile and submit your social investigation report on or before or within such time allowed to you by the Board / Committee.

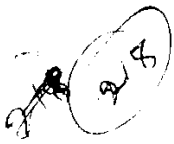
Dated this day of 20.....

(Signature)

Board/
SEAL.

Judicial Magistrate, Juvenile Justice Board

Chairperson, Child Welfare Committee.



FORM – II

(See Sub-rule (7) of Rule 22, Sub Rule (2) of Rules(24)

SUPERVISION ORDER

When the Juvenile is placed under the care of a parent, guardian or other fit person.

Profile No. of 20

Whereas (name of the juvenile/child) has this day found to have committed an offence and has been place under the care of (name)..... (address)..... On

executing a bond by the said and the Court is satisfied that it is expedient to deal with the said juvenile/child by making an order plaing him/her under supervision.

It is hereby ordered that the said juvenile be placed under the supervision of

Probation officer/case worker, for a period of Subject to the Following conditions :-

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

Dated this day of 20.....

(Signature)

Board/
SEAL

Judicial Magistrate, Juvenile Justice Board

Chairperson, Child Welfare Committee.

- Additional, conditions, if any may be inserted by the juvenile Justice Board/Child Welfare Committee

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FORM - III

(See Sub-rule (10) of Rule 22, Sub Rule (3) of Rules(26)

Order of detention under Sub-Section 10 Of Section 22, Sub-Section 11 of Section 26 and Sub-section of Section

To

The Officer in charge / Project Manager

Whereas on the _____ day of _____, 20____ (name of the Juvenile/ child/son/daughter of _____ aged _____ residing at _____ being found in Profile No _____ to be juvenile in conflict with law child in need of care and protection under section, _____ is ordered by me _____ Judicial Magistrate, Juvenile Justice Board Chair person, Child Welfare Committee, under Section of Juvenile Justice Act, 2000 to be kept in the Special Home/Children Home/ Shelter Home for a period of _____

this is to authorize and require you to receive the said juvenile child into your charge, and to keep him/her in the Special Home/Children Home /Shelter Home _____ for the aforesaid order to be there carried in to execution according to law

Given under my hand and the seal of Juvenile Justice Board/Child Welfare Committee

This _____ day of _____, 20____

(Signature)

Judicial Magistrate, Juvenile Justice Board/ Chairperson, Child Welfare Committee

End -

Copy of the judgement, if any, of orders, particulars of home and previous record

Strike which is not required

Previous history under the Juvenile Justice(Care and Protection of Children) Act 2000

Order passed including period _____ Section _____ Competent Authority _____ of detention if any _____

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FORM - IV

Bond to be executed by a Parent/Guardian/Relative or fit person in whose care a child is placed under Clause (c) Sub-Section (1) of Section 15/Sub-Section(3) of Section 39.

Whereas I _____ being the parent, guardian, relative or fit person under whose care (name of the Juvenile child has been ordered to be placed by the Juvenile Justice Board/Child Welfare Committee _____ have been directed by the said juvenile justice Board/child Welfare Committee to execute a bond in the sum of Rs: _____ (Rupees _____) with one surety */two sureties. I hereby bind myself on the said _____ being placed under my care I shall have the said _____ properly taken care of and I do further bind myself to be responsible for the good behaviour of the said _____ and to observe the following conditions for a period of _____ years commencing from _____

- (1) that I shall not change my place of residence without giving previous intimation in writing to the juvenile Board/Child Welfare Committee through the Probation Officer/Child Welfare Officer,
- (2) that I shall not remove the said _____ from the limits of the jurisdiction of the Juvenile the Board/Committee,
- (3) that I shall send the said _____ Daily to school to such daily work as is approved by the Board/Committee unless prevented from so doing by circumstances beyond my control,
- (4) that I shall send the said _____ to an Attendance Centre regularly unless prevented from so doing by circumstances beyond my control
- (5) that I shall report immediately to the Board/Committee whenever so required by it;
- (6) that I shall produce the said _____ misbehaves or absconds from my care ;
- (7) that I shall render all necessary assistance to the Probation Officer/Case Worker to enable him to carry out the duties of supervision ;
- (8) in the event of my making default herein I bind myself to forfeit to Government the sum of Rs _____ (Rupees _____)

Dated this _____ day of _____ 20__

Before me signed

Signature of person executing the bond

Additional conditions, if any, by the Juvenile Justice Board/Child Welfare may be entered numbering them properly

(Where a bond with sureties is to be executed add)

I/We _____ of _____ (place of residence with full particulars) _____ hereby declare myself, surety/ourselves sureties for the aforesaid _____ (name of the person executing the bond) _____ do and perform and in case of his making fault thereon, I/We hereby bind myself/ourselves jointly said severally to forfeit to government the sum of Rs _____ dated this the _____ day of _____ 20__ In the presence of _____

(Signed)

Bond to be signed by juvenile/child who has been ordered under Clause 4 of Sub-Section 4 of Section 40 of the Act

Whereas I, _____, inhabitant of _____, do hereby give full particulars such as house no, road, village/town, tehsil, district, state _____ have been ordered to be sent back to my native place by the juvenile justice Board/Child Welfare Committee _____ under section _____ of the juvenile justice (Care and Protection of Children) Act, 2000 on my entering into a bond under Sub-Rule _____ of _____

Rule _____ of the juvenile justice (Care and Protection of Children) Act, 2000 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 also beyond the said district without the prior permission of the Board/Committee.

2. That during the said period I shall attend work/school in the village/town or in the said district to which I am sent.

3. That in case of my attending work/school at any other place in the said district I shall keep the Board/Committee informed of my ordinary place of residence.

FORM V

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FORM VI

Vide Sub Rule (4) of Rule 15

I, _____ resident of _____ give full particulars such as house no./road, village/town, district, state, _____ do hereby declare that I am willing to take charge of _____ Aged _____ under the orders of the Juvenile Justice Board/Child Welfare Committee _____

Subject to the following terms and conditions :

- (I) If his/her conduct is unsatisfactory I shall at once inform the 'competent authority'.
- (II) I shall do my best for the welfare and education of the said _____ as long as he/she remains in my charge and shall make proper provision for his/her maintenance.
- (III) In the event of his/her illness, he/she have proper medical attention in the nearest hospital.
- (IV) I undertake to produce him/her before the 'competent authority' when so required.

Dated this _____ day of _____ 20_____

Signature

Signature and address of witness(es) .

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FORM VII

Vide Sub Rule 5 of Rule 18

Name and designation of the releasing authority State Govt/UT administration, do by this order permit son/daughter of cast residence number who was ordered to be detained in a observation home, special home, children home, shelter home, after care home by the Juvenile Justice Board/ Child Welfare Committee under section of the Justice (Care and Protection of Children) Act, 2000, for a term of on the day of 20 and who is now in the homes, at

To be discharged from the said on condition that he/she be placed under the supervision and the authority of during the remaining position of the aforesaid period of stay.

This order is granted subject to the conditions endorsed hereon, upon the breach of any which it shall be liable to be revoked

Date Signature and Designation of Releasing ordering Authority Place

Conditions:

- 1. The released person shall proceed to and live under the supervision and authority of until the expiry of the period of his/her detention unless the remission is sooner cancelled.
2. He/she shall not, without the consent of the Remove himself/herself from the place or any other place, with may be names by the said
3. He/she shall obey such instructions as he/she may receive from the said With regard to punctual and regular atteneance at employment or otherwise.
4. He/she shall attend the Attendance Centre at Regularly.
5. He/She shall abstain from committing any offence and shall lead a sober and industrious life to the satisfaction of

- 6 *
7 *
8 *
9 *

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

I hereby acknowledge that I am aware of the above conditions which have been read over / wxplained to me and that I accept the same.

(Signature or mark of the released person)

certified that the conditions specified in the above order have been read over/explained to (Name) and that he/she has accepted them as the conditions upon which the remission of the period of detention has been granted to him/her and that he/she has been released accordingly on the

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FORM VIII

Vide Sub Rule (1) of Rule 54
Social Investigation Report.

Sl.No.
Submitted to the Juvenile Justice Board/Child Welfare Committee,
(address)

Profile No. Probation Department
Profile No.
Under Section

Title of Profile
Police Station

Nature of offence charge
(in the case of delinquent juvenile)

Name Religion
Father's Name Caste
Permanent Address Year of Birth
Last address before arrest Age
Sex

Previous institutional history, if any

FAMILY

Members of Family	Name	Age	Health	Occupation School	Wages, if any
Father
Step Father
Mother
Step Mother
Sub-mother
Sibling
If married, relevant particulars					
Other near relatives or agencies interested					
Attitude towards religion normal					
And ethical code of the home etc.					
Social and economic status					

Delinquency record of members of family

Present living conditions

Relationship between parents/
Parent and children especially
With the child under investigation

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Other facts of importance, if any _____

JUVENILES/CHILD'S HISTORY

Mental condition
Present and past _____

Physical condition
Present and past _____

Habits, interests
(moral, recreational etc.) _____

Outstanding characteristics and
Personality traits _____

Companions and their influence _____

Truancy from home, if any _____

School (attitude towards school,
Teachers, class mates and vice-versa) _____

Work record (jobs held, reasons for leaving
Vocational interest, attitude towards job or employers) _____

Neighbourhood and neighbours report _____

Parent attitude towards discipline
In the home and child's reaction _____

Any other remarks _____

RESULT OF INQUIRY

Emotional factors

Physical condition

Intelligence

Social and economic factors

Religious factors

Suggested causes of the problems

Analysis of the case giving an idea

As to how the delinquency developed

Recommendation regarding treatment and its

Plan by probation Officer/Child Welfare Officer

Signature of the Probation Officer/Case Worker

FORM IX

Vide Sub Rule of Rule
Fortnightly Progress report of Probationer.

Part I

Name of the Probation Officer / Case Worker
For the month of
Register No.
Competent Authority
Profile No.
Name of the child
Date of Supervision Order
Address of the Child
Period of Supervision

Part II

Place of Interview

Dates

.....
.....
.....

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

Part III

8. Any Proceedings before the competent authority of or
 - a) Variation of conditions of bond
 - b) Change of residence
 - c) Other matters
9. Period of supervision completed on
10. Result of supervision with remarks (if any)
11. Name and address of the parent or guardian or fit person under whose care the juvenile is to live after the supervision is over.

Date of report

Signature of the Probation Officer/Case Worker