



# TAMIL NADU GOVERNMENT GAZETTE

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## Part III—Section 1(a)

General Statutory Rules, Notifications, Orders, Regulations, etc.,  
issued by Secretariat Departments.

### NOTIFICATIONS BY GOVERNMENT

#### SOCIAL WELFARE AND NUTRITIOUS MEAL PROGRAMME DEPARTMENT

TAMIL NADU JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) RULES, 2017

[G.O. (Ms) No. 53, Social Welfare and Nutritious Meal Programme [SW8(1)], dated 8th August 2017,  
ஆடி 26, ஹேவிளம்பி, திருவள்ளூர் ஆண்டு-2048]

No.SRO A-38(b)/2017

In exercise of the powers conferred by sub-section (1) of section 110 of the Juvenile Justice (Care and Protection of Children) Act, 2015 [Central Act 2 of 2016], the Governor of Tamil Nadu hereby makes the following rules, namely:-

#### CHAPTER – I.

#### PRELIMINARY.

**1. Short title, extent and commencement.-** (1) These rules may be called the Tamil Nadu Juvenile Justice (Care and Protection of Children) Rules, 2017.

(2) These rules shall come into force with effect from 11<sup>th</sup> August, 2017.

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

(a) “Act” means the Juvenile Justice (Care and Protection of Children) Act, 2015 (Central Act 2 of 2016);

(b) “aftercare home” means a home that is maintained for persons, who have completed the age of eighteen years but have not completed the age of twenty-one years, and have left any institutional care to join the mainstream of the Society;

(c) “Case Worker” means a representative from a registered voluntary or Non-Governmental Organization who shall accompany the child to the Board or the Committee and may perform such tasks as may be assigned to him by the Board or the Committee”;

(d) “community service” means a service rendered to the society such as cleaning a park, serving the elderly, helping at a local hospital or nursing home, serving disabled children, serving as traffic volunteers, tree planting with adult supervision by children in conflict with law who are above the age of fourteen years which is not degrading and dehumanizing and with due protection of the identity and dignity of the child;

(e) "District Child Protection Officer" means an officer who heads or is in charge of State Child Protection Unit of the district constituted by the State Government under section 106 of the Act;

(f) "District Collector" means the Chief Officer in-charge of the revenue administration of the district;

(g) "District Magistrate" shall have the same meaning assigned to the "District Collector" for the purpose of these Rules;

(h) "Form" means the Forms annexed to these rules;

(i) "Government" means the State Government;

(j) "individual care plan" means a comprehensive development plan for a child, based on age and gender specific, needs and the case history of the child, prepared in consultation with the child, in order to restore the child's self-esteem, dignity and self-worth and nurture him into a responsible citizen and accordingly, the plan shall address the following, including but not limited to the needs of a child, namely:-

(i) health and nutritional needs, including any special needs;

(ii) emotional and psychological needs;

(iii) educational and training needs;

(iv) leisure, creativity and play;

(v) protection from all kinds of abuse, neglect and maltreatment;

(vi) life skill training;

(vii) restoration and follow up;

(viii) social mainstreaming;

(k) "Inspection Committee" means a committee constituted by the State Government under section 54 of the Act;

(l) "officer-in-charge" means an officer appointed for the control and management of a child care institution including Superintendent of Government child care institution or Manager of such institution;

(m) "reception unit" means a unit functioning as part of an observation home for providing temporary reception, care and rehabilitation of any child alleged to be in conflict with law, during the pendency of any inquiry under the Act;

(n) "social investigation report" means a report in Form I prepared in relation to a child and includes all information pertaining to the circumstances of the child, the situation of the child on economic, social and psycho-social and other relevant factors and the recommendation thereon;

(o) "social worker" means a person with a degree in social work or sociology, psychology, criminology or child development who is engaged by a child care institution or authorised by the District Child Protection Unit, State Child Protection Society or State Adoption Resource Agency or Central Adoption Resource Authority for preparing social investigation report or individual care plan of the child, child study report, home study report of prospective adoptive parent or foster parents or any other duty as assigned to such person under the Act or these rules;

(p) "social worker member" means a social worker appointed to the Juvenile Justice Board;

(q) "special educator" means a person trained in communication with children with special needs in a way that addresses the child's individual differences and needs, which include challenges with learning and communication, emotional and behavioural disorders, physical disabilities and developmental disorders;

(r) "The Tamil Nadu State Child Protection Society" means the society constituted for the State under section 106 of the Act.

(2) All words and expressions used but not defined in these rules shall have the meanings respectively assigned to them in the Act.

## JUVENILE JUSTICE BOARD.

**3. Additional Qualification of members for appointment as social worker member .-** (1) No person shall be appointed as a Social Worker member of the Board.-

- (i) unless he has completed thirty five years of age and should not have completed sixty five years of age at the time of appointment and shall have a proven track record for a period of not less than seven years of experience in dealing with children;
- (ii) if he is associated with any political party;
- (iii) if he is adjudged or declared insolvent.

**4. Selection of social worker member.-** (1) The selection of social worker members of the Board shall be made by a selection committee consisting of the following persons, namely:-

- (i) Principal District and Sessions Judge - Chairperson
- (ii) District Collector - Member
- (iii) Deputy Commissioner of Police/District Superintendent of Police - Member

(2) The District Collector may call for applications for appointment as Social Worker Members through a press release. The applicants shall submit the application to the District Child Protection Officer of the District. The District Child Protection Officer shall scrutinize the applications and forward the eligible applications to the Chairperson of the Selection Committee within fifteen days from the last date prescribed for submission of application.

(3) The selection committee shall conduct interview of the applicants and select and recommend a panel consisting of ten names for appointment as members.

(4) The Government shall appoint social worker members to the Board, only from the list of persons in order of preference as recommended by the selection committee and no person shall be eligible for appointment unless he is recommended by the selection committee.

(5) Orders of appointment of Social Worker Members shall be issued from the list of persons recommended by the District level selection committee.

**5. Term of Office of social worker member.-** (1) The term of Office of the social worker member shall be for a period of three years from the date of assuming charge:

Provided that the member may continue to hold office till his successor assumes charge or for a period of three more months, whichever is earlier.

(2) A member may resign at any time, by giving three month's notice in writing to the State Government, through the Director of Social Defence.

(3) A casual vacancy of a social worker member shall be filled up as soon as may be, by appointment of another member by the Government from the panel of names in the order of preference earlier recommended by the Selection Committee, referred to in sub-rule (i) of rule 4. The person so appointed shall hold office for the remaining period of tenure of the member in whose place he is appointed.

(4) A person shall be eligible for appointment as a social worker member for a maximum of two terms, which shall not be continuous.

**6. Termination of social worker member.-** The member of the Juvenile Justice Board appointed by Government may be terminated if he fails to discharge the duties and responsibilities attached to the position or misconduct, by adhering the following procedures:-

(i) The District Magistrate shall suo motu or on receipt of any complaint against any Social Worker Member, conduct a preliminary inquiry and if evidence either oral or documentary is forthcoming shall forward the complaint to the Government alongwith his recommendations;

(ii) On receipt of the complaint alongwith the recommendation of the District Magistrate, the Government shall nominate an officer not below the rank of Joint Secretary to Government to conduct an inquiry and submit the report within the period of thirty days;

(iii) On consideration of the report and the relevant materials the Government may pass an order as it deem think fit.

**7. Training of Principal Magistrate and social worker members.-** All the members including the Principal Magistrate, shall be given training or orientation on child psychology, child right, child welfare, care, protection, rehabilitation, legal provisions, justice for children and in writing judgements for cases determined by the Board for a period of not less than two days within a period of sixty days after their assuming office by the Judicial Academy or by the Directorate of Social Defence or any other appropriate institution.

**8. Sittings of Board.-** (1) The Board shall hold its sittings for not less than three days in a week in the premises of an observation home or at a place in proximity to the observation home or at a suitable premise in any child care institution meant for children in conflict with law run under the Act and in no circumstances shall the Board operate from within any court or jail premises.

(2) The social worker member of the Board shall be paid sitting allowance, travelling allowance or any other allowance as provided under Integrated Child Protection Scheme.

(3) The Board shall hold its sittings in a child friendly premises which shall not look like a court room in any manner and the sitting arrangement should be such to enable the Board to interact with the child face to face.

#### CHAPTER – III.

#### PROCEDURE IN RELATION TO CHILDREN IN CONFLICT WITH LAW.

**9. Transaction of business.-** The Board or member to whom a child is produced shall observe the following, namely:-

(i) Such rules of procedures in regard to the transaction of business at its meetings as contemplated in the Code of Criminal Procedure, 1973 (Central Act 2 of 1974);

(ii) A child in conflict with law may be produced either before the Principal Magistrate or a social worker member, even at their residence, when the Board is not sitting:

Provided that a child who is detained in an observation home or a place of safety by the Principal Magistrate or a social worker member when the Board is not in sitting shall be produced before the Board at its first sitting, immediately thereafter;

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

- (a) elicit information on the background of the child;
- (b) inform the child of the case filed against him by the police and availability of free legal aid facility;
- (c) help him to understand the process of the proceedings;
- (d) make enquiries of his point of view about the commission of the alleged offence;
- (e) take cognizance of any dereliction or excesses committed by police or any other authority;

(iv) The Board shall satisfy either from the declaration of Police in writing or otherwise that the child alleged to be in conflict with law was not kept in police lock up or jail prior to the production before the Board and that the child was produced before the Board without any loss of time, but within twenty four hours of taking charge of the child excluding travel time. The child shall be enquired privately and his views be obtained. The views and expressions shall be recorded. Proceedings shall be made on the views and expressions of the child;

(v) The Board shall satisfy that the police on taking charge of the child has intimated the Probation Officer concerned in **Form II** and parents or guardians of the child as required under section 13 of the Act and shall require the police to file a written statement in this regard;

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

(vii) The Board shall ensure that the State or District Legal Aid Services Authority extends free legal services to a child, whenever required;

(viii) The Board shall initiate action against any media or institution for publishing any matter relating to children which would affect the interest of the child;

(ix) The Board shall consider the report of the probation officer while deciding on bail for the child in conflict with law and consider the conditions recommended by the probation officer;

(x) Irrespective of the offence committed by the child notwithstanding anything contained in the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) or any other law for the time being in force, the Board shall release the child on bail with or without surety to the parents or legal guardians or fit person, if it is in the best interest of the child after considering the report of the probation officer upon conditions to be followed during the bail period or such other relevant material;

(xi) The Board shall ensure that no girl child is taken charge by police between sunset and sunrise:

Provided, if circumstances warrants, only a woman police personnel shall be permitted to take charge of a girl child and shall be sent to an observation home immediately without any loss of time for temporary accommodation;

(xii) The Board shall obtain a declaration from police in writing that the child was dealt with due regard for decency and also inquire the child in conflict with law and shall record the same;

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

(xiv) The Board shall maintain a list of experts in the field of law, psychology, counselling and guidance, psychiatrists and psychiatric institutions who are willing to provide such services. The list can be prepared in consultation with the probation officers and District Child Protection Officer in the concerned District;

(xv) The Board shall call for a social investigation report from the probation officer by an order in **Form III**. The probation officer shall submit the social investigation report in **Form I**. The probation officer, if required, shall cause for the suggestions and opinion of such experts as found necessary for preparing the social investigation report. The Board shall also call for a separate report from professionals or experts on cases pertaining to psychological or psychiatric problems of the child;

(xvi) The Board shall not make a final disposition without considering the report of the probation officer;

(xvii) The decision of the Board regarding determination of age and preliminary assessment shall be taken by majority including the Principal Magistrate;

(xviii) In cases of heinous offences, the Board shall call for a report for preliminary assessment of a child in conflict with law from the Department of Paediatrics or Psychiatric medicine of the Medical college or hospital under the Government or willing private medical college or hospital or the Department of Psychology in a Government or willing private college or University for the purpose of section 15 of the Act and wherever necessary obtain a second opinion;

(xix) For the purpose of conducting a preliminary assessment, the Board shall interact with the child alleged to be in conflict with law as well as his family members, wherever available. The child may, in addition be represented through his counsel and the submissions on behalf of the child shall be considered;

(xx) The Board shall take into account the report of investigation, statements of witnesses, recorded by the Child Welfare Police Officer, medico-legal report, forensic report and other documents prepared during the course of investigation filed by the police before it;

(xxi) The Board shall take into account the medical reports of the child as are available;

(xxii) The Board shall take into account mental health reports including an assessment of the cognitive maturity of the child;

(xxiii) The Board, after preliminary assessment under section 15 of the Act, passes an order that there is a need for trial of the said child as an adult, it shall also assign reasons for the same and a copy of the order shall be provided to the child forthwith;

(xxiv) The Board if decides to commit a child to any child care institutions, contrary to the report of the probation officer as contemplated under section 6 of the Probation of Offenders Act, 1958 (Central Act 20 of 1958), the reasons for the same shall be recorded in writing;

(xxv) Whenever, a child is ordered to be released on probation or for rendering community service or to participate in group counselling or similar activities or to be released on probation of good conduct, the Board shall consider the conditions recommended by the probation officer and direct the probation officer to effect supervision and report to the Board for a period as specified by the Board;

(xxvi) The Board shall direct the probation officers to effect intensive probation supervision on specific cases whose accountability can be ensured by frequent supervision;

(xxvii) The Board shall explain the conditions of probation to be followed by the probationer and direct him to appear before the Board, in case of breach of conditions as reported by the probation officer. In such breach of conditions the Board shall order to send the child to a special home or place of safety for the remaining period of supervision;

(xxviii) During the conduct of enquiry by the Board, any complaint on victimisation or exploitation of a child is brought before the Board either by the child himself or from the report of the medical officer or the probation officer, the Board shall direct the police to register a case, investigate and report for further proceedings within a fixed time. However, such proceedings shall not delay the disposal;

(xxix) The Board shall prepare and maintain a list of Government, non-governmental organisations, fit persons, fit facility in consultation with the probation officer and District Child Protection Officer for the purpose of providing care and protection, supervision during the period of bail or on community service or on probation or during the period of community based correction in order to utilise the community resources effectively. The probation officer shall assist the Board in this regard. The Board shall consider all the avenues of placing the child under the care of parents or guardian or within the community such as fit person or fit facility and receive appropriate rehabilitation packages under the supervision of the probation officer;

(xxx) In circumstances where institutionalization in a special home is inevitable, the Board shall record the reasons thereof;

(xxxi) The Board shall not recognise any children home or open shelter either as a place of safety or fit facility for the purpose of keeping a child in conflict with law and no child in conflict with law shall be ordered to be kept in a children home or a open shelter under any circumstances;

(xxxii) Where release of a child to the custody of parent or guardian or a fit person with or without the supervision of probation officer is ordered as the case may be, the Board shall make an order in **Form IV** and call for a report by the probation officer when supervision is required;

(xxxiii) When witnesses are produced for examination in inquiry relating to a child alleged to be in conflict with law, the Board shall keep in mind that the inquiry is not to be conducted in the spirit of strict adversarial proceedings and it shall use the powers conferred under the provisions of Indian Evidence Act, 1872 (Central Act 1 of 1872) so as to question the child and proceed with the presumptions that favour the child's right to be restored;

(xxxiv) While examining a child alleged to be in conflict with law and recording his statement, the Board shall address the child in a child friendly manner in order to put the child at ease and to encourage him to state the facts and circumstances without any fear, not only in respect of the offence alleged to have been committed, but also in respect of the home and social surroundings and the influence to which the child might have been subjected to;

(xxxv) In cases of heinous offences alleged to have been committed by a child, who has completed the age of sixteen years, the Child Welfare Police Officer shall produce the statements of witnesses recorded by him and other documents prepared during the course of investigation within a period of one month from the date of first production of the child before the Board;

(xxxvi) In cases of petty and serious offences, the final report shall be filed before the Board at the earliest and in any case not beyond the period of three months from the date of information to the police;

(xxxvii) If the Police do not complete the investigation within three months and fail to furnish the reason for the delay, the Board shall fix a date for final enquiry serving a notice to the Police to be present and adjudicate and dispose the case on the basis of materials available before it:

Provided that if the Police justifies the delay to the satisfaction of the Board, it may extend a specified time limit to Police to complete the investigation and file the necessary report and a copy may be sent to the concerned Commissioner or Superintendent of Police. If the Police does not complete the investigation even after the time granted, the Board is free to adjudicate the final disposal of the case as it deems fit;

(xxxviii) Where the proceedings are delayed beyond four months, the Board shall send a report for the delay as well as steps being taken to expedite the matter to the Chief Judicial Magistrate or Chief Metropolitan Magistrate as the case may be;

(xxxix) On completion of enquiry and considering the social background of the child and the circumstances leading to the commission of an offence, report of the probation officers, facts ascertained from witnesses, individuals or any other agencies, the Board shall pass an order as mentioned in section 18 of the Act;

(XL) All dispositional orders passed by the Board shall necessarily include an individual care plan in **Form V** for the child in conflict with law concerned, prepared by a probation officer.

**10. Quarterly Report.-** The Board shall send the quarterly report in **Form VI** to the Chief Judicial Magistrate or Chief Metropolitan Magistrate, District Magistrate and the Director of Social Defence.

**11. Persons through whom the child alleged to be in conflict with law may be produced.-**(1) As soon as a child alleged to be in conflict with law is apprehended by the Police, the concerned Police Officer shall inform the designated Child Welfare Police Officer in the Police Station or Special Juvenile Police Unit to take charge of the matter and the child. The child so apprehended shall not be handcuffed or fettered.

(2) Soon after receipt of a child from the Police or any other agency the Child Welfare Police Officer of the Police Station or Special Juvenile Police Unit shall produce the child before the Board within twenty four hours as required in sub-section (1) of section 10 of the Act.

(3) No First Investigation Report shall be registered except where the offence alleged to have been committed by the child entails an imprisonment of seven years and more for adults, or when such offence is alleged to have been committed jointly with adults. In all other matters, the Special Juvenile Police Unit or the Child Welfare Police Officer shall record the information regarding the offence alleged to have been committed by the child in the general daily diary followed by a report containing social background of the child for gathering the best available information, it shall be incumbent upon the Special Juvenile Police Unit or the Child Welfare Police Officer to contact the parents or guardians of the child and circumstances of apprehension and the alleged offence and forward it to the Board before the first hearing.

(4) If First Investigation Report is registered, the copy shall be made available to the child or copy of the police report should be given to the parents or guardian at free of cost.

(5) When the child is released in a case where the apprehension is not warranted, the parents or guardians or a fit person in whose custody the child is released, shall furnish an undertaking in a non-judicial paper in **Form VII** to ensure their presence on the dates during enquiry or proceedings before the Board.

(6) The Child Welfare Police Officer or Officer-in-charge of the Special Juvenile Police Unit shall be in plain clothes and not in uniform.

(7) When the child in conflict with law, released on bail, fails to appear before the Board, on any date fixed for hearing and no application is moved for exemption on his behalf or no cogent reason is found for granting him exemption, the Board shall, issue directions to the Child Welfare Police Officer and the Person-in-charge of the Police Station for production of the child.

(8) If the Child Welfare Police Officer fails to produce the child before the Board even after the issuance of the directions for production of the child, the Board shall instead of issuing process under section 82 of the Code of Criminal Procedure, 1973 pass appropriate orders under section 26 of the Act and the child shall also be treated as a missing child.

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

(i) the Officer-in-charge of the child care institution shall immediately send a report to the area Police Station or Special Juvenile Police Unit or Child Welfare Police Officer along with the details and description of the child, the identification marks and a photograph, with a copy marked to the Board or the Children's court as well as to the Director of Social Defence;

(ii) the parents or guardians shall be informed immediately;

(iii) the Officer-in-charge of the child care institution shall hold an inquiry and send his report to the Board, the Children's court as well as to the Director of Social Defence. The details of the child shall also be uploaded on the Track Child portal.

(2) When the run away child is apprehended again, the said fact shall be notified to all the persons concerned.

(3) If the child is untraceable then, the child shall be treated as a missing child.

**13. Destruction of records of children in conflict with law.-** The records or documents in respect of a child in conflict with law shall be kept in a safe custody for a period of seven years and thereafter be destroyed with the orders of Children's court or Juvenile Justice Board, as the case may be:

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

**14. Sending of a child to an observation home or place of safety.-** (1) Admission of a child in the observation home or a place of safety shall be made round the clock for the purpose of sub-sections (2) and (3) of section 12 of the Act and the officer-in-charge of observation home or a place of safety is bound to receive the child.

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

Provided that a child may also be admitted in the observation home or a place of safety on a written requisition made by the officer in charge of a Police Station to the officer-in-charge of the observation home or a place of safety in **Form VIII**

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

(4) The Officer-in-charge shall refuse admission of a child whose age, identification marks, details of offence committed has not been mentioned:

Provided that admission can also be refused if the placement order received from the Board is not duly signed or corrections not attested properly or brought without any seal affixed.

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

(6) All dispositional orders passed by the Board shall necessarily include an individual care plan in **Form V** for the child in conflict with law concerned, prepared by a probation officer.

#### 15. Procedure in relation to Children's court and Monitoring Authorities.-

(1) Upon receipt of preliminary assessment from the Board the Children's court may decide whether there is need for trial of the child as an adult or as a child and pass appropriate orders.

(2) Where an appeal has been filed under sub-section (1) of section 101 of the Act against the order of the Board declaring the age of the child, the Children's court shall first decide the said appeal.

(3) Where an appeal has been filed under sub-section (2) of section 101 of the Act against the finding of the preliminary assessment done by the Board, the Children's court shall first decide the appeal.

(4) Where the appeal under sub-section (2) of section 101 of the Act is disposed of by the Children's court on a finding that there is no need for trial of the child as an adult, it shall dispose of the same as per section 19 of the Act and these rules.

(5) Where the appeal under sub-section (2) of section 101 of the Act is disposed of by the Children's court on a finding that the child should be tried as an adult the Children's court shall call for the file of the case from the Board and dispose of the matter as per the provisions of the Act and these rules.

(6) The Children's court shall record its reasons while arriving at a conclusion whether the child is to be treated as an adult or as a child.

(7) Where the Children's court decides that there is no need for trial of the child as an adult, and that it shall decide the matter itself,-

(i) It may conduct the inquiry as if it were functioning as a Board and dispose of the matter in accordance with the provisions of the Act and these rules.

(ii) The Children's court, while conducting the inquiry shall follow the procedure for trial in summons case under the Code of Criminal Procedure, 1973 (Central Act 2 of 1974).

(iii) The proceedings shall be conducted in camera and in a child friendly atmosphere, and there shall be no joint trial of a child alleged to be in conflict with law, with a person who is not a child;

(iv) When witnesses are produced for examination the Children's court shall ensure that the inquiry is not conducted in the spirit of strict adversarial proceedings and it shall use the powers conferred by section 165 of the Indian Evidence Act, 1872 (Central Act 1 of 1872).

(v) While examining a child in conflict with law and recording his statement, the Children's court shall address the child in a child-friendly manner in order to put the child at ease and to encourage him to state the facts and circumstances without any fear, not only in respect of the offence which is alleged against the child, but also in respect of the home and social surroundings and the influence to which the child might have been subjected to;

(vi) The dispositional order passed by the Children's court shall necessarily include an individual care plan in **Form V** for the child in conflict with law concerned, prepared by a probation officer or Child Welfare Officer or recognized voluntary organisation on the basis of interaction with the child and his family, where possible;

(vii) The Children's court, in such cases, may pass any orders as provided in sub-sections (1) and (2) of section 18 of the Act.

(8) Where the Children's court decides that there is a need for trial of the child as an adult,-

(i) It shall follow the procedure prescribed by the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) of trial by sessions and maintaining a child friendly atmosphere.

(ii) The final order passed by the Children's court shall necessarily include an individual care plan for the child as per **Form V** prepared by a probation officer or Child Welfare Officer or recognized voluntary organisation on the basis of interaction with the child and his family, where possible;

(iii) Where the child has been found to be involved in the offence, the child may be sent to a place of safety till the age of twenty-one years;

(iv) While the child remains at the place of safety, there shall be yearly review by the probation officer or the District Child Protection Unit or a social worker in **Form IX** to evaluate the progress of the child and the reports shall be forwarded to the Children's court;

(v) The Children's court may also direct the child to be produced before it periodically and at least once every three months for the purpose of assessing the progress made by the child and the facilities provided by the institution for the implementation of the individual care plan;

(vi) When the child attains the age of twenty-one years and is yet to complete the term of stay, the Children's court shall,-

(a) interact with the child in order to evaluate whether the child has undergone reformative changes and if the child can be a contributing member of the society.

(b) take into account the periodic reports of the progress of the child, prepared by the probation officer or the District Child Protection Unit or a social worker, if needed and further direct that institutional mechanism if inadequate be strengthened.

(c) After making the evaluation, the Children's court may decide to,-

(ca) release the child forthwith;

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

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

(cd) release the child and appoint a monitoring authority for the remainder of the prescribed term of stay. The monitoring authority, where appointed shall maintain a Rehabilitation Card for the child in **Form X**.

(vii) For the purpose of sub-rule (vi) (c) (cd) of this rule,-

(a) A probation officer or Case Worker or Child Welfare Officer or a fit person may be appointed as a monitoring authority.

(b) The District Child Protection Unit shall maintain a list of such persons who can be engaged as monitoring authorities which shall be sent to the Children's court along with bi-annual updates.

(c) The child shall for the first quarter after release, meet with the monitoring authority on a fortnightly basis or at such intervals as may be directed by the Children's court. The monitoring authority shall fix a time and venue for such meetings in consultation with the child. The monitoring authority shall forward its observations on the progress of the child on a monthly basis to the Children's court.

(d) At the end of the first quarter the monitoring authority shall make recommendations regarding the further follow up procedure required for the child.

(e) Where the child, after release is found to be indulging in criminal activities or associating with people with criminal antecedents, he shall be brought before the Children's court for further orders.

(f) If it is found that the child no longer requires to be monitored, the monitoring authority shall place the detailed report with recommendations before the Children's court which shall issue further directions either terminating the monitoring or for its continuation.

(g) After the first quarter, the child shall meet the monitoring authority at such intervals as may be directed by the Children's court based on the recommendations made by the monitoring authority at the end of the first quarter and the monitoring authority shall forward its report to the Children's court which shall review the same every quarter.

## CHAPTER – IV.

## CHILD WELFARE COMMITTEE.

**16. Additional Qualification for appointment as Chairperson and members.-** (1) No person shall be appointed as the Chairperson and member of a Child Welfare Committee,-

- (i) unless he has completed thirty five years of age and should not have completed sixty five years of age at the time of appointment;
- (ii) if he is associated with any political party;
- (iii) if he is adjudged or declared insolvent;
- (iv) if he has any past record of violation of human rights or child rights;
- (v) if he is or has been an office bearer or staff of any non-governmental organization, which is licensed or recognized for either in-country or inter-country adoption.

(2) A person shall be eligible for appointment as a Chairperson or member for a maximum of two terms, which shall not be continuous.

**17. Selection of Chairperson and members.-**

(1) The selection of Chairperson and members of the Committee shall be made by a selection committee consisting of the following persons, namely.-

- |   |   |             |
|---|---|-------------|
| (i) Principal District and Sessions Judge   | - | Chairperson |
| (ii) District Collector   | - | Member      |
| (iii) Commissioner of Police or<br>District Superintendent of Police,<br>as the case may be | - | Member      |

(2) The District Collector may call for applications for appointment as Chairperson and member through a press release and official website of the Department of Social Defence. The applicants shall submit the application duly filled to the District Child Protection Officer of the district. The District Child Protection Officer shall scrutinize the applications and forward the eligible applications to the Chairperson of the Selection Committee within fifteen days from the last date prescribed for submission of application;

(3) The Selection Committee shall conduct interview of the applicants and select and recommend a panel consisting of fifteen names for appointment as Chairperson and members;

(4) The Government shall appoint Chairperson and members to the Committee, only from the list of persons in order of preference as recommended by the selection committee and no person shall be eligible for appointment unless he is recommended by the selection committee;

(5) The list of shortlisted candidates at the district level shall be duly signed by all members of the selection committee present at the time of selection.

**18. Casual Vacancy and Resignation of members.-** (1) A member may resign at any time, by giving three month's notice in writing to the Government through the Director of Social Defence;

(2) A casual vacancy of a Chairperson or member shall be filled up as soon as may be, by appointment of another Chairperson or member by the State Government from the panel of names in the order of preference as recommended earlier by the selection committee and shall hold office for the remaining period of tenure of the Chairperson or member in whose place he is appointed.

**19. Termination of a Chairperson or member.-** The Chairperson or member of the Child Welfare Committee appointed by Government may be terminated if he fails to discharge the duties and responsibilities attached to the position or misconduct by adhering the following procedures:-

- (i) The District Magistrate shall suo moto or on receipt of any complaint against the Chairperson or member conduct preliminary inquiry and if evidence either oral or documentary is forthcoming shall forward the complaint to the Government along with his recommendations;

(ii) On receipt of the Complaint along with the recommendation of the District Magistrate, the Government shall nominate an officer not below the rank of Joint Secretary to Government to conduct an inquiry and submit the report within the period of thirty days;

(iii) On consideration of the report and the relevant materials the Government may pass an order as it deem think fit.

**20. Time and place of sitting of committee.-** (1) The Committee shall hold its sittings in the premises of a children's home or, at a place in proximity to the children's home or at a suitable premises in any child care institution run under the Act for children in need of care and protection. The Committee shall normally hold its sitting for twenty days in a month from Monday to Friday between 11.00 a.m. and 4.00 p.m. The Chairperson, may extend the time of the sitting or may reschedule the day and time of sitting for any important business to transact;

(2) The Committee shall function cohesively as single body and as such shall not form any sub-committees;

(3) At the time of final disposal of a case, there shall be atleast three members present including the Chairperson, and in the absence of the Chairperson, a member so nominated to act as such;

(4) The premises where the Committee holds its sittings shall be child friendly and shall not resemble a court room in any manner whatsoever; the Committee shall not sit on a raised platform and the sitting arrangement shall be uniform and there shall be no witness boxes and the police shall not be in uniform;

(5) The Committee shall interview the child sensitively and in a child friendly manner and shall not use accusatory or adverse words that tend to impact the dignity or self-esteem of the child. The inquiry shall satisfy the basic principles of natural justice and shall ensure the informed participation of the child, parent or guardian. The child shall be given an opportunity to be heard and the opinion voiced shall be taken into consideration with due regard to age and level of maturity. The orders of the Committee shall be in writing and contain reasons;

(6) On receiving information about a child in need of care and protection, if circumstances warrants that child cannot be produced before the Committee, the Committee may move out to reach such a child or hold its camp sitting at a place that is convenient for the child;

(7) In the event of continued absence of a Chairperson or member without prior intimation to the committee for more than five sittings, it shall be informed to the Directorate of Social Defence;

(8) The Chairperson and members of the Committee shall be paid sitting allowance, travelling allowance or any other allowance as decided by the Government from time to time;

(9) The Committee shall maintain proper records of the children produced and related documents;

(10) The Committee shall send the details of children declared legally free for adoption and the number of cases pending before them on a monthly basis to Specialised Adoption Resource Agency and to the Director of Social Defence before the tenth of every succeeding month.

**21. Training of Chairperson and members of Child Welfare Committee.-** The Chairperson and members of the Child Welfare Committee shall be given training or orientation on child psychology, child rights, child welfare, care and protection, rehabilitation, legal provisions, justice for children and in writing or disposition orders for cases determined by the Committee for a period of not less than two days within a period of sixty days after their assuming office by the Directorate of Social Defence or any other appropriate institution.

## CHAPTER-V.

### CHILDREN IN NEED OF CARE AND PROTECTION.

**22. Proceedings of Committee.-** (i) Any children in need of care and protection shall be produced before the Committee and whoever produces the child before the Committee shall make a report in **Form XI** containing the particulars of the child as well as the circumstances in which the child was received or found;

(ii) The Committee shall, prima facie, determine the age of the child in order to ascertain its Jurisdiction pending further inquiry as per section 94 of the Act, if need be;

(iii) The Committee shall satisfy that the child was not kept in police lock-up or in prison prior to the production of the child before the Committee and produced the child before the Committee within twenty four hours of taking charge of the child, excluding the time required for travel from the place, where the child was found, to the place of production of the child before an individual member or Committee;

(iv) The Committee shall satisfy that, the child has not been subjected to ill treatment or harassment either by the Police or by any other person, who had taken charge of the child for the purpose of bringing before the Child Welfare Committee;

(v) While communicating with the child, the Committee members shall use child friendly techniques through their conduct. Each member shall adopt a child friendly attitude with regards to body language, facial expression, eye contact, intonation and volume of voice while addressing the child;

(vi) The Committee shall cause documentation and maintenance of detailed case record along with a case summary of every case dealt by the Committee in **Form XII**;

(vii) The Committee shall conduct an assessment of vulnerability of the child before the child is released;

(viii) In the case of abandoned or lost or orphaned child, the Committee, before passing an order granting interim custody of the child pending inquiry, shall see that, the information regarding such child is uploaded on a designated portal;

(ix) The Committee shall restore a child in need of care and protection only on proper verification of the identity of the child, parents or guardian and after addressing the vulnerability of the child;

(x) The Committee may, while making an order in **Form XIII** for placing a child under the care of a parent, guardian or fit person, pending inquiry or at the time of restoration, as the case may be, direct such parent, guardian or fit person to enter into an undertaking in **Form XIV**;

(xi) Whenever the Committee orders a child to be kept in a child care institution, it shall forward to the Officer-in-charge of such institution a copy of the order of placement in **Form XV** with all relevant records. A copy of such order shall also be forwarded to the District Child Protection Unit:

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

(xii) The Committee shall refuse temporary custody of the child to parents for reasons to be recorded in writing, if it is in the best interest of the child;

(xiii) The Committee shall, suo motu or on receipt of any information, complaint or otherwise, pertaining to any offence against a child, direct the Officer in charge of a Police Station or of the District Child Protection Unit to immediately take action for the rescue or recovery of such child from such situation, and to take further action including coordination with labour, health, social welfare and any other agencies involved with the care and protection of children;

(xiv) The Committee shall submit a quarterly report to District Magistrate in **Form XVI** for review of pendency of cases;

(xv) In all cases of pending inquiry, the Committee shall notify the next date of appearance of the child not later than fifteen days of the previous date of appearance;

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

(xvii) The Committee shall direct the probation officer or any other person empowered to conduct inquiry, and furnish the social investigation report of a child in need of care and protection to the Committee in association with **Form XVII**. Professional bodies like Departments of Paediatrics, Psychiatric Medicine of Medical College or Hospital and Departments of Psychology or Criminology attached to Universities or any other expert body shall be recognized as nodal agencies for professional opinions and advice;

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

(xix) The Committee shall consider the report of the probation officer or any other expert before taking a final decision;

(xx) Whenever the Committee orders a child to be restored to the care of parents or guardians or fit person to participate in group counselling or similar activities or to be restored under the care of any fit facility, the Committee shall direct the probation officer to effect supervision during such period and report to the Committee regularly. The Committee shall satisfy that the follow-up conditions are very specific in nature. The specific follow-up conditions shall find a place in the social investigation report of the probation officer;

(xxi) The Committee shall order for restoration of a child to the parents, through escorts in **Form XVIII**, if the parents or guardian of a child fail to appear before the Committee;

(xxii) The Committee shall direct the probation officer or District Child Protection Officer for effective intensive follow-up on specific cases whose accountability may be ensured by frequent supervision;

(xxiii) The Committee may also ensure that while a follow-up has been ordered, the parents enter into an agreement with the probation officer, on the follow-up conditions. Whenever the residence of the child falls outside the jurisdiction of the Committee, the follow-up order shall be communicated to the Child Welfare Committee of the respective jurisdiction for further action;

(xxiv) Wherever the Committee orders a child to be placed in a Children's Home, the reasons for the purpose shall be substantiated;

(xxv) The Committee shall direct the parents or guardian to take full responsibility of their children with appropriate directions to ensure that the child's rights are protected, to ensure the accountability and fulfil the responsibility as parents to protect and maintain their child. In the event of failure of the parents to fulfil such responsibilities, the child shall be admitted in a children's home;

(xxvi) The Committee shall ensure in all cases of reported abuse, or otherwise that a medical check-up of the child is carried out and direct a medical officer or any medical institution to undertake appropriate medical examination in respect of the child and furnish details of physical, sexual, mental, verbal or any other type of abuse, if any, be recorded and appropriate action regarding the said abuse is taken;

(xxvii) If the Committee either on inquiry or on the report of the probation officer or on the report of a medical officer or in any other manner, is satisfied that a child produced before it has been abused by an adult, physically or sexually or in any other manner, the committee shall direct the police to file a first information report, investigate the case and take necessary further action as per law. The Committee shall also direct the police to furnish to it, a status report on the case, periodically. In case the alleged abuser himself is a child, the Committee shall direct the police to investigate the case and also refer the matter to the Board for further proceedings;

(xxviii) When a child is produced before the Committee, members of the Committee shall ensure that the proceedings of the Committee are carried out in a language that the child understands or shall arrange for an empanelled translator or interpreter to help the child understand the proceedings. When a child with special needs is produced before the Committee, the Committee shall arrange for the assistance of a special educator or an expert in the field to help the child to understand the proceedings of the Committee;

(xxix) Every open shelter shall submit a monthly report in **Form XIX** to the Committee as well as to the District Child Protection Unit regarding the children availing the services in the Open Shelter;

(xxx) All proceedings held by the Committee that requires the presence of the child care institution shall be held in a manner respectful and with dignity.

## CHAPTER - VI.

### REHABILITATION AND SOCIAL RE-INTEGRATION.

**23. Standards of care for child care institutions.-** The following standards of care shall be maintained in all child care institutions for children in need of care and protection as well as for children in conflict with law:-

(1) The child care institution shall ensure that a child during the stay in such institution is met with the standards of care and protection with all facilities for his or her overall development. The standards of care shall include appropriate and adequate health care, purified drinking water facilities, spacious and airy accommodation, bathing and toilet facilities with hygienic atmosphere, good environment, sports and recreational facilities, book reading facilities and access to information and age appropriate facilities for education and life skills training;

(2) The child's welfare, safety and needs shall be the focal attention of care;

(3) Children shall have an enjoyable childhood and benefit from good parenting care and education, enjoying a wide range of opportunities to develop their talents and skills leading to a successful adult life;

(4) Each child shall be valued as an individual and given personalised support in line with their individual needs and background in order to develop their identity, self-confidence and self-worth;

(5) The special needs of differently abled children and children with complex needs shall be individually addressed;

(6) Children shall be provided good and wholesome food resulting in an age-appropriate balanced diet;

(7) The child care institution shall be child-friendly in approach, character and environment.

**24. Institutional management of children.-** The following procedure shall be followed in respect of the newly admitted children and thereafter, namely,-

(a) the officer in charge of the child care institution shall interact with the child in a soft and polite manner and ensure that the child is not carrying with him any prohibited articles. Girl children shall be handled by female staff only;

(b) the officer in charge of the child care institution shall then enter the name of the child in the admission register maintained for this purpose and allocate appropriate accommodation facility;

(c) the photograph of the child shall be taken and affixed in the record maintained in the child care institution;

(d) the officer-in-charge of the child care institution shall arrange for safe custody of the personal belongings of the child received by the institution and shall record the same in the personal belongings register maintained in the institution and the items shall be returned to the child at the time of leaving the institution. If there is a reasonable amount, the same may be deposited in a bank in the name of the child by nominating the officer in charge of the institution as guardian to fetch interest for the child;

(e) the entries made in the 'personal belongings register', relating to each child shall be read over to the child in the presence of a witness, whose signature shall be obtained in token of the correctness of such entries and shall be countersigned by the officer-in-charge of the child care institution;

(f) the officer-in-charge of the child care institution shall provide sanitary items, new set of clothes, bedding, tooth brush and other necessary items for each child;

(g) each child shall be interviewed and a case file or profile prepared by the child welfare officers or social workers or counsellors attached to the child care institution or voluntary social workers or counsellors from outside. All information received shall be treated with strict confidentiality and shall be available only to the Officer-in-charge of the child care institution or the social worker or counsellor responsible for the maintenance of such records;

(h) the child shall be familiarized with the child care institution and its functioning and shall be briefed on the following areas, namely,-

(i) personal health, hygiene and sanitation;

(ii) institutional discipline and standards of behaviour;

(iii) daily routine, roles and responsibilities within the said institution;

(i) a case history of the child admitted to an child care institution shall be maintained as per **Form XX** which shall contain information regarding his socio-cultural and economic background and this information may be collected through all possible and available sources, including home, parents or guardians, employer, school, friends and community;

(j) a pre-discharge and rehabilitation programmes shall be prepared before the discharge of the child. The assistance of voluntary welfare organizations may also be taken up for preparation of the plan;

(k) in the event of a child leaving the child care institution without permission or committing the offence within the said institution, the information shall be sent by the Officer-in-charge of the concerned institution to the local police and the family, if known. A detailed report of circumstances along with the efforts to trace the child shall also be sent to the Board or Committee, as the case may be;

(l) an individual care plan for every child in the child care institution shall be developed with the ultimate aim to rehabilitate and re-integrate the child based on the case history, circumstances and individual needs. Individual care plan shall be based on the following guidelines, namely,-

(i) the officer-in-charge, counsellor along with the child welfare officer shall prepare an individual care plan for every child in an institution within one month of his admission as per **Form - V**;

(ii) the care plan shall include a plan for the restoration, rehabilitation, reintegration and follow-up of the child;

(iii) the care plan shall be reviewed on a quarterly basis by the Management Committee for appropriate development and rehabilitation including options for release or restoration to family or foster care or adoption;

(iv) the individual care plan shall take into consideration the views of the child;

(v) continuity of care plan shall be ensured in cases of transfer of a child to another child care institution;

(m) the minimum standards for a child care institution prescribed by the Government shall be ensured from time to time;

(n) no child shall be subjected to corporal punishment or any mental harassment including being subjected to humiliating behaviour affecting the dignity and worth of the child.

**25. Physical infrastructure.-** (1) No home for children in conflict with law and for children in need of care and protection shall function in the same building nor have access to each other, if on the same premises;

(2) The accommodation in each child care institution shall provide for an overall minimum of forty square feet per child with toilet facilities, one toilet for every seven children and bathing facilities in the ratio of one for every ten children and shall also be in accordance with the following criteria:-

(a) observation home and special home.-

(i) separate homes for girls and boys;

(ii) classification and segregation of children according to their age group preferably 7-11 years, 12-15 years and 16-18 years, giving due consideration to physical and mental status and the nature of the offence committed;

(iii) students alleged to have either committed or been party to heinous crimes shall be provided separate accommodation within the Home.

(b) Place of Safety (for children in conflict with law).-

(i) a separate place of safety shall be provided for children in conflict with law according to their age and the nature of offence;

(ii) classification and segregation of children shall be made in the age groups 16-18 years and 19-21 years;

(iii) children alleged to have either committed or been party to heinous crimes shall be provided separate accommodation within the home.

(c) Children's home.-

(i) the child care institution shall maintain separate bed rooms, bathrooms and toilets for boys and girls over and above the age of five years. Boys shall not be permitted to enter into the bed rooms, bath rooms and toilets of girls and vice versa. All other facilities may be common. Children's home may preferably provide separate bed rooms and toilets for accommodation in the age groups of 6-11, 12-15 and 16-18 years;

(ii) separate facilities for children upto the age of 5 years with appropriate facilities for infants;

(3) The officer in-charge or home parents of the child care institution shall stay within the institution and be provided with quarters and in case are not able to stay in the home for legitimate reasons, any other senior staff member of the institution shall stay in the institution and be in a position to supervise the overall care of the children and take decisions in the case of any crisis or emergency;

(4) There shall be adequate lighting, proper flooring, ventilation, sufficient fans and safe drinking water;

(5) All child care institutions shall make provision for first aid kit and stock of emergency medicines, fire extinguishers, periodic review of electrical installations, proper storage and inspection of articles of food stuffs, stand-by arrangements for water storage and emergency lighting;

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

(7) Every child shall be provided with required clothing and bedding according to climatic conditions;

(8) Every child care institution shall have the following facilities, namely.-

(a) sufficient space and water for bathing and washing clothes;

(b) proper drainage system;

(c) arrangements for disposal of garbage;

(d) protection from mosquitoes by providing mosquito nets or repellants;

(e) pest control arrangements;

(f) sufficient number of well lit and airy toilets and bathrooms;

(g) clean and fly-proof kitchen and separate area for washing utensils;

(h) sunning of bedding twice every month and clothing on regular basis;

(9) Every institution shall have Closed Circuit Television facilities to monitor the access points to the home.

**26. Fit facility.-** (1) The Board or the Committee shall on an application in **Form XXI** from any child care institution or organisation run by Government or non-governmental organization, recognise the facility available with them as a fit facility and declare the facility as "fit facility" for a specific purpose.

(2) The Board or the Committee, after inspection and inquiry to ensure the adequate facilities exist in the child care institution for the specific purpose for which such institution may be declared as "fit facility" and shall grant recognition to such institution as a fit facility in **Form XXII** with such terms and conditions as they deem fit;

(3) The recognition to an institution or an organization as a fit facility shall be initially for a period of three years which may be renewed for a further period of three years after following the procedures in accordance with sub-rule (1) and (2) of this rule;

(4) In case of violation of any of the conditions by the child care institution or if the Board or Committee is dissatisfied with the standards of care and protection provided or conditions prevailing in the facility or an adverse report made by the inspection committee appointed under section 54 of the Act, the Board or Committee shall withdraw the recognition of the institution as a fit facility from the date specified in the order;

(5) A list of fit facilities approved by the Board or the Committee shall be sent to the Children's Court, Special Juvenile Police Unit and the District Child Protection Unit, State Child Protection Society;

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

**27. Fit Person.-** (1) The Board or the Committee shall recognise any individual who is fit to temporarily receive a child for care, protection, rehabilitation or treatment for a period as may be necessary, as a "fit person" ;

(2) The Board or the Committee shall identify a panel of persons on the basis of their credentials, respectability, expertise, professional qualifications, experience of dealing with children and their willingness to receive the child and shall recognise them as "fit person" for the purposes of the Act;

(3) The Board or the Committee shall, if dissatisfied with the standards of care and protection provided or for any other reason, at any time, by an order withdraw the recognition of the person as a fit person from the date specified in the order of the Board or the Committee;

(4) The order of withdrawal as "fit person" shall be sent to the Children's court, Special Juvenile Police Unit, the District Child Protection Unit and State Child Protection Society and the Child placed with such a fit person may be placed by the Board or the Committee or the Children's court to another fit person or with a fit facility or any child care institution.

**28. Daily routine.-** Every child care institution shall have a daily routine for weekdays for children which shall be prominently displayed in the institution. The daily routine shall provide for a regulated and disciplined life with adequate physical exercise, recreation and games, value education, group activities, prayer and community singing. Weekends and holidays may be planned to facilitate more relaxation, friendship and special programmes as and when possible.

**29. Nutrition and Medical care.-** (1) The following nutrition and diet scale shall be followed by the child care institution, namely.-

(i) the children shall be provided three meals in a day. Snacks may be provided in the evening;

(ii) the menu chart shall be prepared to ensure a balanced diet and variety in taste to maintain minimum nutritional standards and diet scale and this shall be displayed prominently;

(iii) children may be provided special meals on holidays and festivals;

(iv) infants and sick children shall be provided special diet according to the advice of the doctor on their dietary requirement;

(v) while an institution may encourage sponsorship of meals that has been planned in advanced without compromising on the diet structure as determined by an expert, any such institution shall not receive leftover food items or bringing in food from outside without ensuring the quality of the same;

(vi) every institution shall have its own cooking facility and in-house cooks and staff to manage the kitchen and dining facilities.

(2) Every child care institution shall,-

(i) maintain a medical record of each child on the basis of half-yearly medical check-up and provide necessary medical facilities;

(ii) ensure that the medical record includes weight and height record, any sickness and treatment and other physical or mental problems;

(iii) arrange a doctor on call during times of emergency;

(iv) training shall be imparted to all staff in handling the first aid;

(v) make necessary arrangements for the immunization of children;

(vi) take preventive measures in the event of outbreak of contagious or infectious diseases;

(vii) not carry out any surgical treatment or hospitalisation on any child without the previous consent of the parent or guardian. Unless the parent or guardian cannot be contacted and the condition of the child is such that any delay would in the opinion of the medical officer, involve unnecessary suffering or injury to the health of the child the Officer-in-charge or the Superintendent shall take a final decision in the matter. Thereafter, the Child Welfare Committee and the District Child Protection Officer shall be informed;

(viii) provide or arrange for counselling of children and ensure specific mental health interventions for those in need of such services;

(ix) refer children who require specialized drug de-addiction and rehabilitation programme to an appropriate centre and necessary treatment shall be given.

**30. Education and Recreation facilities.-** (1) Every institution shall provide education to all children according to their age and ability, within or outside the institution;

(2) The varying educational requirements of the children shall be met and special educators arranged wherever required;

(3) Wherever necessary, extra coaching shall be made available to school going children especially for those who are weak in studies;

(4) Recreation facilities may include indoor and outdoor games, music, television, picnics and outings, cultural programmes, library visits, etc;

(5) Specialised trainers and experts shall be appointed to cater to the educational needs of children with special needs either physical or mental. Learning disorders shall be identified, assessed and reported in the individual care plan. Further assistance shall be given to the Child by trained professionals.

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

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

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

**32. Aftercare of young adults leaving child care institutions.-** (1) Any child who leaves a child care institution on completion of eighteen years of age may be provided with an extended institutional care for a period of not exceeding three years upto twenty one years of age in an after care organisation if required so;

(2) The after care placement shall be ordered by the Director of Social Defence on the request of the Officer-in-charge of the child care institution based on the report of the probation officer;

(3) In case of young adults leaving any child care institution, not requiring extended institutional care but any other facility or financial support for re-integration into the mainstream of Society, the provisions under the Integrated Child Protection Scheme may be extended.

**33. Registration of Institutions.-** (1) For the purpose of registration under sub-section (1) of section 41 of the Act, the following procedures shall be followed:-

(i) All child care institutions shall apply to the District Child Protection Unit or any other authorized officer of the Department of Social Defence or an authorized officer of the State Commissioner for the Differently Aabled on an application in **Form XXIII** together with supporting documents. The receipt of application for registration under the Act shall be acknowledged by providing a proof of receipt to the applicant organisation in **Form XXIV** and shall comply with the following, namely:-

(a) the child care institution shall be a registered body under the Tamil Nadu Societies Registration Act, 1975 (Tamil Nadu Act No.27 of 1975) or Indian Trusts Act, 1882 (Central Act 2 of 1882) or under any other law for the time being in force;

(b) the child care institution shall not be a blacklisted organisation in any district or State for misappropriation or mismanagement of funds received either under Central Indian Trusts Act, 1882 (Central Act 2 of 1882) or from State Government or for suspension or cancellation on account of any lapses;

(c) the accounts of the child care institution have been audited and income tax returns have been submitted regularly;

(d) the child care institution shall have separate bed rooms and toilets for accommodation for boys and girls over and above the age of five years, if they are housed within the same building. Boys shall not be permitted to enter into the bed rooms, bath rooms and toilets of girls and vice versa. All other facilities may be common;

(e) the child care institution shall have adequate water facilities including safe drinking water;

(f) if a person, found guilty of an offence in an organisation and subjected to penal action by the Government or the courts, establishes another organisation or forms part of another organisation as office bearer or any other position, such an organization shall not be considered for registration;

(g) the child care institution shall maintain the history profile of every child;

(h) every child care institution shall make an application for the renewal of registration, three months prior to the expiry of the period of registration;

(i) the services to be provided in a child care institution shall be as per section 53 of the Act and the provisions of these Rules.

(2) The District Child Protection Unit or an authorized officer of the Department of Social Defence or an authorized Officer of the State Commissioner for the Differently Aabled, after ensuring that the conditions specified in sub-rule (2) are satisfied and that the details furnished in the application are correct may then recommend to the Director of Social Defence. The Director of Social Defence if satisfied may issue a registration certificate in **Form XXV**;

(3) Any child care institution that has been closed for non-registration or non-renewal prior to the notification of these rules may apply afresh under these rules;

(4) The procedure and **Form XXIII** prescribed for registration shall apply for renewal also;

(5) Registration of an institution shall not entitle the institution for Grant-in-aid from the State Government or Central Government.

**34. Cancellation or withholding of registration.-** (i) Upon the complaint received or on observation made by or by the direction of the Inspection Committee constituted under the Act or on the evaluation or inspection report of the Department of Social Defence or the Department of Differently Aabled or the District Collector, the District Child Protection Officer shall issue a show cause notice to the child care institution;

(ii) on receipt of the show cause notice, the child care institution shall submit its reply within fifteen days to the District Child Protection Officer. The District Child Protection Officer shall then forward the reply of the child care institution with his preliminary inquiry report to the District Collector;

(iii) In the event of lapses that are rectifiable, the District Collector shall give directions to the Officer-in-charge of the child care institution and give reasonable time to rectify the said lapses and on the compliance with the direction of the District Collector, the complaint may be closed forthwith;

(iv) In case of lapses not being rectified, even after reasonable time being given, the District Collector shall determine such non-co-operation as being violative of the basic requirements to run an institution and shall recommend to the Director of Social Defence to take any further action as the Director of Social Defence may think fit;

(v) upon receipt of the report from the District Collector, the Director of Social Defence may appoint an inquiry officer to inquire into the complaint by an Officer not below the rank of a Deputy Director. The Officer in charge of the Home shall be provided with the charges outlining the lapses committed and time given for submission of explanation. The inquiry shall be conducted and the inquiry report submitted within the time period granted by the Director of Social Defence;

(vi) in case of charges being proved, the Director of Social Defence may cancel or withhold the registration:

Provided that in the event of a lapse by an employee of the organisation and if the Governing body of the institution has initiated criminal prosecution against the employee involved and such action taken against the employee has been found to be appropriate and sufficient by the Director of Social Defence, a warning may be issued and the matter be closed;

(vii) in case of cancellation or withholding of the registration of a child care institution, the District Collector shall make an alternate arrangement for running of the Home for a maximum period of one year or till the end of the academic year. In case the children cannot continue to be accommodated in the same premises, the District Collector shall make arrangements to transfer the children to a suitable registered child care institution without affecting their education;

(viii) an appeal to such a cancellation or withholding of registration may be made to the Government within a period of forty five days of passing order and such appeal shall be disposed of within a period of ninety days from the date of receipt of the appeal application:

Provided that an appeal made beyond a period of forty five days may be considered in exceptional circumstances;

(ix) Upon cancellation or withholding of registration of the institution,-

(a) the children may continue to reside in the same premises till the completion of the academic year but running of the child care institution shall not vest with the same organisation but shall be entrusted to an institution having valid registration;

(b) in case where premises are not conducive for continued occupation, the children shall be immediately produced before the Committee or Board, as the case may be, for appropriate action for transfer to a suitable institution;

(c) funds received specifically by such institution for maintenance of the children, shall continue to be utilised for the well-being of the children accommodated in the said institution;

(x) no children shall be admitted in the institution during the period of withholding of registration.

**35. Responsibilities of Child Welfare Officer.-** The Superintendent or Officer in charge of a child care institution shall be the Child Welfare Officer for the purpose of the Act. The duties, functions and responsibilities of the Child Welfare Officer or Superintendent shall be as follows:-

(i) the Child Welfare Officer shall maintain individual case profile of each child through personal interview, the family, social agencies and other sources;

(ii) the Child Welfare Officer shall ensure that the rights of every child are protected in all possible manner within the frame work of rules and regulations;

(iii) the Child Welfare Officer is the custodian for placement orders and to carry out the orders of the Child Welfare Committees and Juvenile Justice Boards;

(iv) the Child Welfare Officer shall be responsible for nutritious food (as advised by a dietician who shall take into consideration the type of food products that are freely available in the area), safe drinking water, proper sanitary and hygienic conditions in the institution, proper health care of children;

(v) the Child Welfare Officer shall nurture a congenial relationship among residents, convene meetings of various Committees, conduct the proceedings and supervise and implement the decisions of the Committees;

(vi) the Child Welfare Officer shall conduct regular meetings with family members of children whenever such opportunities are available and encourage the parents to meet and interact with their children and the staff to ensure that the interests of the children are honoured;

(vii) the Child Welfare Officer is responsible for executing the individual care plan for each child;

(viii) the Child Welfare Officer shall work towards integration of services available with other Government Departments and the non-governmental organisations for the development of children;

(ix) the Child Welfare Officer shall facilitate counselling and guidance of children having deviant behaviour;

(x) the Child Welfare Officer shall plan for a pre-discharge programme that would empower the child to have a smooth and sustainable life on discharge from the child care institution;

(xi) the Child Welfare Officer of any child care institution shall authorise and delegate any responsible staff for all interaction and meetings between the institution and other authorities such as Committee, Board, District Administration or others.

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

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

(3) The probation officer shall carry out the directions given by the Board or Committee and shall have the following duties, functions and responsibilities:-

- (i) to conduct social investigation of the child and prepare the Report as in **Form I**;
- (ii) to attend the proceedings of the Board , Committee and the Children's court and to submit reports as and when required;
- (iii) to clarify the problems of the child and deal with their difficulties in institutional life;
- (iv) to participate in the orientation, monitoring, education, vocational and rehabilitation programmes;
- (v) to establish co-operation and understanding between the child and the person- in-charge of the child care institution;
- (vi) to assist the child to develop contacts with family and also provide assistance to family members;
- (vii) to participate in the pre-discharge programme and help the child to establish contacts which could provide emotional and social support to the child after discharge;
- (viii) to negotiate with probation officers in other Districts and other States for obtaining social investigation report, supervision and follow-up;
- (ix) to negotiate with voluntary workers and organisations to facilitate rehabilitation and social reintegration of children and to ensure the necessary follow-up;
- (x) regular post release follow-up of the child extending help and guidance, enabling and facilitating their return to social mainstreaming;
- (xi) to prepare the individual care plan and post release plan for the child;
- (xii) to supervise children placed on probation as per the individual care plan;
- (xiii) to make regular visits to the residence of the child under his supervision and places of employment or school attended by such child and submit periodical reports as per **Form VI**;
- (xiv) to accompany children wherever possible, from the office of the Board to the observation home, special home, place of safety or fit facility as the case may be;
- (xv) to evaluate the progress of the children in place of safety periodically and prepare the report including psycho-social and forward the same to the Children's court;
- (xvi) to discharge the functions of a monitoring authority where so appointed by the Children's Court;
- (xvii) to maintain a diary or register to record his day to day activities such as visits made by him, social investigation reports prepared by him, follow up done by him and supervision reports prepared by him;
- (xviii) to identify alternatives of community services and to negotiate with voluntary organisations for facilitating rehabilitation and social reintegration of children; and
- (xix) any other task as may be assigned.

**37. Maintenance of case file.-** (1) a case file shall be maintained for each child in a child care institution. The complete history of the child together with the report of the probation officer or Case Workers or social workers or Psychologists and other professionals if any, who have interacted with the child shall also be maintained in the file;

(2) regular health status reports from medical officer and any specialised treatment given to the child as in-patient or out patient including de-addiction of drugs and substances shall also be maintained in the file;

(3) reports relating to any mental health intervention, if undertaken shall be kept in the case file;

(4) leave and other privileges granted to the child shall be kept in the record;

(5) special achievement of the child and violation of rules if any shall also be maintained;

(6) a quarterly progress report shall be kept in the case file;

(7) individual care plan, including pre-discharge programme, post discharge plan and follow-up plan as prescribed in **Form V** for children in Children homes or Special homes shall be maintained.

**38. Prohibited articles.-** No person shall bring into any child care institution the following prohibited articles, namely:-

(i) intoxicants of any description, psychotropic substances, liquor, ganja, bhang, opium, smack etc;

(ii) all explosives, poisonous substances, acid and chemicals, whether fluid or solid of whatever description;

- (iii) all arms, ammunition and weapons, knives and cutting implements of every kind and articles which are capable of being used as a weapon of whatever description;
- (iv) all obscene matter;
- (v) string, rope, chains and all materials which are capable of being converted into string or rope or chains, of whatever description;
- (vi) wood, bamboo, club, stick, ladder, bricks, stones and earth of every description;
- (vii) playing cards or other implements for gambling;
- (viii) tobacco items, pan masala or similar item;
- (ix) medicine that has not been specifically prescribed;
- (x) any other article specified in this behalf by the Government by a general or special order.

(2) All bullion, metal, coin, jewellery, ornaments, currency notes, securities and articles of value of every description including electronic items such as mobile phone, digital camera, i-pad, etc., shall be deposited in safe custody.

(3) The disposal of the prohibited articles shall be as per rule 39 of these Rules.

**39. Disposal of articles.-** The money or valuables belonging to a child received or detained in an institution shall be disposed of in the following manner, namely,-

(i) when a child is transferred from one institution to another, all his money, valuables and other articles, shall be sent along with the child to the Officer-in-charge of the institution to which the child has been transferred together with a full and correct statement of the description and estimated value thereof;

(ii) at the time of release of such child, the valuables and other articles kept in safe custody and the money deposited in name of the child shall be handed over to the parent or guardian, as the case may be, after making entries in the register and signed by the Officer-in-charge;

(iii) in case of death of a child in an institution, the valuable and other articles left by the deceased and the money deposited in the name of the child shall be handed over by the Officer-in-charge to any person who establishes his claim as parent or guardian 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 child, the valuables and other articles and amount shall be disposed as per the decision taken by management committee of the institution.

**40. Suggestion box.-** A suggestion box shall be installed in a place that is easily accessible for children to make a suggestion to help the child care institution to improve upon its own functioning. Such a suggestion box shall be unlocked prior to the commencement of the management committee meeting by the chairperson of the said management committee who shall have custody of the keys and the suggestions found available shall be discussed at the committee meeting.

**41. Qualification, experience and payment of fee of an interpreter and translator.-** (1) In each district, the District Child Protection Unit shall maintain a register with names, addresses and other contact details of interpreters, translators and special educators for the purposes of the Act and the register shall be made available to the Board or Children's court or Committee as and when required.

(2) The qualifications and experience of the interpreters, translators, special educators and experts shall be as follows:-

(i) the interpreters and translators shall have functional familiarity with language spoken by the child as well as the official language of the State, either by virtue of such language being his mother tongue or medium of instruction at school at least up to primary school level or the interpreter or translator having acquired knowledge of such language through his vocation, profession or residence in the area where that language is spoken;

(ii) sign language interpreters, special educators and experts entered in the register should have relevant qualifications in sign language or special education or in the case of an expert, in the relevant discipline, from a recognized University or an institution recognized by the Rehabilitation Council of India;

(iii) preference shall be given to interpreters, translators, special educators, experts who have worked in similar activities for a period of two years;

(3) Payment for the services of an interpreter, translator, special educator or expert whose name is enrolled in the register maintained under sub-rule (1) or otherwise, shall be made from the funds placed at the disposal of the District Child Protection Unit by an order of the Board or Children's court or Committee.

(4) The payment for the services rendered by an interpreter, translator, special educator or expert shall be fixed by the State Government from time to time.

(5) Any preference expressed by the child at any stage regarding the gender of the interpreter, translator, special educator or expert may be taken into consideration. Wherever necessary, more than one such person may be engaged in order to facilitate communication with the child.

(6) The interpreter, translator, special educator, expert engaged to provide services for the purposes of the Act shall be unbiased and impartial and shall disclose any real or perceived conflict of interest to the Board or Children's court or Committee. He shall render a complete and accurate interpretation or translation without any additions or omissions, in accordance with section 282 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974).

(7) Any interpreter, translator, special educator or expert appointed under the provisions of the Act or its rules shall be bound by the rules of confidentiality, as described under section 127 read with section 126 of the Indian Evidence Act, 1872 (Central Act I of 1872).

(8) The Board or Children's court or Committee shall ensure that the interpreter, translator, special educator, expert engaged to facilitate communication with the child, does not involve in any conflict of interest.

(9) No person with a previous history of violation of child rights shall be empanelled in the list of translators and interpreters.

**42. Inspection committee.- (1) State Inspection Committee.-** The Government shall constitute an Inspection Committee consisting of not more than five members to inspect and review the functioning of the child care institution in the State. The Committee shall consist of members chosen among, the State Commission for the Protection of Child Rights, the State Human Rights Commission, medical and other experts, voluntary organizations and reputed social workers. The Member – Secretary, State Child Protection Society shall be the Chairperson of the State Inspection Committee.

**(2) District Inspection Committees.-** The District Collector shall constitute District Inspection Committee consisting of a minimum of three and not more than five persons to inspect the child care institution including Government run institutions in the district, as follows:-

- (i) member of the Board or the Committee of the district concerned;
- (ii) District Child Protection Officer of the District concerned as the Member Secretary;
- (iii) medical officer, nominated by the Health Department;
- (iv) one member of the civil society working in the area of child rights, care, protection and welfare, nominated by the District Collector;
- (v) one mental health expert who has experience of working with children, nominated by the District Collector.

(a) The District Inspection Committee shall visit and oversee the conditions in the institutions and appropriateness of the processes for safety, well being and permanence, review the standards of care and protection being followed by the institutions, look out for any incidence of violation of child rights, look into the functioning of the management committee and Children's Committee and so on. The Committee shall be carried out in a child friendly manner and shall not be such as to bring in an element of fear among children;

(b) The Committee may make suggestions for improvement and development of the institution;

(c) The Committee may visit the institutions either by prior intimation or make a surprise visit. The Committee shall interact with the children during the visits to the institution, to determine their well-being and elicit their feedback. The follow up action on the findings and suggestions of the children shall be taken by all concerned authorities. The action taken report, findings and suggestions from the Inspection Committee shall be sent to the District Child Protection Unit or the Government, as the case may be.

(3) Inspection shall be carried out by the Chief Judicial Magistrate or Chief Metropolitan Magistrate, as the case may be, in relation to the functioning of Juvenile Justice Boards. Similarly, inspection shall also be carried out by the District Magistrate in relation to the functioning of Child Welfare Committees.

**43. Inspection and evaluation.- (1)** The District and Sessions Judge shall be the Inspecting Officer of the activities of the Juvenile Justice Board under whose jurisdiction the Juvenile Justice Board functions.

(2) The District and Sessions Judge shall inspect the functions of Juvenile Justice Board at least once in six months and report to the Government and the High Court for follow-up.

(3) The District and Sessions Judge shall also be the Vigilance Officer for the purpose of entertaining any allegations or complaints if any, made on the activities of Juvenile Justice Board or against the Principal Magistrate, social worker members and other staff of the Board.

(4) The District and Sessions Judge shall arrange for a review meeting once in three months consisting of the Principal Magistrate and the members of Juvenile Justice Board, Police, Assistant Public Prosecutor in the Board, Officer in charge of the observation home or special home or probation officers, medical personnel to ensure that children related issues and rehabilitation are being carried out effectively.

(5) The Juvenile Justice Board shall inspect and evaluate the activities of observation home or a place of safety or a special home at least once in two months to ensure that the child's developmental needs have been adequately addressed in terms of educational, vocational, medical, behavioural management or any other condition stipulated by the Board while sending a child to such institution.

(6) The District Magistrate shall be the Inspecting Officer of the activities of the Child Welfare Committee under whose jurisdiction the Child Welfare Committee functions.

(7) The District Magistrate shall also be the Vigilance Officer for the purpose of entertaining any allegations or complaints if any made on the activities of the Child Welfare Committee.

(8) The District Magistrate shall arrange for a review meeting once in three months consisting of the Chairperson and members of Child Welfare Committee, Officer-in-charge of children home, probation officers, medical personnel to ensure that children related issues and rehabilitation are being carried out effectively.

(9) The Child Welfare Committee shall inspect and evaluate the activities of the children home at least once in a year to ensure that the child's developmental needs have been adequately addressed in terms of educational, vocational, medical, behavioural management or any other condition stipulated by the Committee while sending a child to such an institution.

(10) The Superintendent of Police or Deputy Commissioner of Police, as the case may be, shall be the inspecting officer of the Special Juvenile Police Unit in the concerned District. He shall arrange for a meeting once in three months with the Juvenile Justice Board, probation officer, Police officers, Assistant Public Prosecutor of the Board to resolve issues, if any.

(11) The District Child Protection Unit or any other officer designated by the Director of Social Defence or Commissioner for the Differently abled Department shall inspect the child care institution for children in need of care and protection and children in conflict with law or fit persons or fit facility institutions once in six months to evaluate the programmes and standards of care. For any institution found to be unregistered during inspection, necessary Penal action shall be taken as per section 42 of the Act. Any deficiency noticed by the inspecting officer shall be intimated to the Officer-in-charge of the institution or fit person or fit facility in writing and the compliance of the remarks or instructions shall be confirmed during the next visit. If any serious violations affecting the interest of the children is noticed, action shall be initiated immediately. A detailed report on the Inspection shall be sent to the Director of Social Defence or Commissioner for the Differently Abled Department, as the case may be.

(12) The child care institution shall be subjected for evaluation and inspection by the Directorate of Social Defence or State Commissioner for Differently Abled or any other authority designated by them. A Child Welfare Committee member or the Child Welfare Committee or a Juvenile Justice Board member or Juvenile Justice Board while inspecting a child care institution shall behave in a child-friendly manner.

**44. Enquiry of a missing or run away child or whose parents cannot be found.-** (1) A detailed enquiry shall be conducted with the child in the language known to him by utilising the services of interpreter or translators required if any.

(2) The Child Welfare Committee shall conduct an enquiry with the person who rescued the child in the first instance and the other persons or institutions who had taken charge thereafter.

(3) A report from the probation officer shall be called for field enquiry that includes the place of rescue of the child. The probation officer shall also collect other information required by the Child Welfare Committee regarding parents or guardian, school and any other background information during their background information enquiry.

(4) A report from the District Child Protection Unit shall be called for to ascertain any particulars relating to the information of the child being available in the child tracking system.

(5) A report from the District Crime Records Bureau or State Crime Records Bureau shall be called for to ascertain if any complaint has been registered on a missing child.

(6) Child Welfare Committee shall ensure that the Police have registered a First Information Report and action to be taken to trace out parents or guardians.

**45. Transfer of a child.-** (1) Transfer of a child ordered by the Committee or Board shall be carried out by the Officer-in-charge of the institution. The Committee or Board shall direct the Officer-in-charge of the Child Welfare Committee to arrange for the safety and security of the child during transportation.

(2) The details of verification and material evidences or information collected by the Committee in determining the place of residence of the child and the report of the probation officer if any, proof of age, the case history of the child, medical report and complete details of any disease or specialised treatment given to the child, if any, shall be sent along with the child while transferring to a similar Committee having jurisdiction over the place of residence of the child.

(3) In case of transfer of child in conflict with law from one special home or place of safety or a child in need of care and protection from one institution to another, the Committee or Board shall record in writing the reasons for such transfer and send the same to the respective institution to which the child is transferred. The report of the probation officer or child welfare officer, if any, proof of age, the case history of the child, medical report and complete details of any disease or specialised treatment given to the child, if any, shall be sent along with the child while transferring such child.

(4) The expenditure to be incurred on the part of a child towards maintenance during transit and the travelling allowance for the escort shall be as applicable to category 'c' of the State Government servants. The expenditure to be incurred on the part of a child towards maintenance during transit should not be less than the amount spent in an institution towards maintenance if the child would have been in the institution itself during such period of transit.

**46. Child suffering from dangerous diseases or serious health problems.-** (1) When a child is placed under the care of an observation home or special home or children's home or fit person or a fit facility under the provisions of the Act, is found to be suffering from a disease or physical or mental health problems requiring prolonged medical treatment, or is found addicted to a narcotic drug or psychotropic substance, the child may be sent by an order of the Board or Committee to an appropriate place for proper treatment for such period as may be certified by a medical officer as necessary.

(2) When a child is cured of the disease or physical or mental health problems, the Committee or Board may, order the child to be placed back in the care of a child care institution, fit person or fit facility institution from where the child was removed for treatment and if the child is still liable to stay. If the child is no longer liable to be kept under the care in an institution, fit person or fit facility, the Committee or Board may order him to be discharged.

**47. Death of child.-** On the occurrence of any case of death or of suicide of a child in a child care institution, the following procedures shall be adopted by the Officer-in-charge of the institution, namely:-

(i) A detailed report shall be sent immediately by the Officer-in-charge of the child care institution to the District Collector, District Child Protection Unit and the Juvenile Justice Board or Child Welfare Committee depending on the supervisory authority;

(ii) A complaint shall immediately be filed in the police station wherein the jurisdiction of the child care institution lies and steps initiated for post mortem. To the extent necessary the body shall be retained in the position found till the arrival of the police. In the event of death relating to medical causes, the discharge summary shall also be sent as soon as received and preferably so with the initial report;

(iii) A copy of the post-mortem report shall be sent to the District Collector and the District Child Protection Unit on receipt of the same;

(iv) After completion of the inquest and the post-mortem if found necessary, the body of the deceased child shall be handed over to the parents of the child. If the parents are not immediately available, then the body may be handed over to the guardians or the relatives. In the event of there being no claim for the body either from the parents or the guardians or the relatives, the funeral rites shall be completed by the Officer-in-charge of the child care institution. The District Child Protection Unit shall be informed of the timing of the funeral;

(v) The Officer-in-charge of the child care institution shall obtain the death certificate and provide a copy to the parents or guardian of the deceased child and also retain a copy in the institution.

**48. Mental health.-** (1) A mental health record of every child shall be maintained by every child care institution. The environment in the institution shall be free from abuse, allowing children to cope with their situation and regain confidence.

(2) Where necessary, such services shall be outsourced to experienced service providers.

(3) A mental health care plan shall be developed for every child by the child welfare officers in consultation with mental health experts associated with the institution and integrated into the individual care plan of the concerned child in conflict with law and child in need of care and protection. The recommendations of mental health experts shall be maintained in every child's file and integrated into the care plan.

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

**49. Management committee.-** (1) Every child care institution shall have a management committee for the management of the institution and for monitoring the progress of every child.

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

(3) The management committee shall consist of not less than three persons chosen by the child care institution itself and shall periodically review the function of the institution every quarter. The Officer-in-charge of the child care institution shall function as the Member-Secretary. The District Child Protection Officer or his nominee, shall be sent an invitation for the

management committee meetings. As and when deemed necessary, the medical officer, the psychologist or counsellor of the child care institution may also be invited for the meeting.

**50. Children's Committee.-** Children's Committees shall be constituted by the Officer-in-charge of each children's home and shall be constituted solely by children. The purpose of the Children's Committee is to encourage leadership, involvement and participation in the running of the Home. Children nominated to the Committees shall be encouraged to take up responsibilities within the Home. The Children's Committee shall also discuss ways to improve mutual respect, prevent bullying within the home and any other form of exploitation.

#### CHAPTER-VII.

#### NON-INSTITUTIONAL CARE.

**51. Procedure for surrender of child for adoption.-** (1) A child may be surrendered by ,-

- (i) both the parents;
- (ii) any one of the parent if the other is not alive or has been declared to be unsound mind by a competent court;
- (iii) natural guardian or the guardian appointed by the Court, where both parents are alive but are not living together and the parents have given their consent to the Child Welfare Committee for surrendering the child;
- (iv) an unmarried mother where the biological father of the child had deserted the mother and his whereabouts are not known;
- (v) an unmarried minor mother, or a mentally challenged mother accompanied by a parent or a guardian;
- (vi) an unmarried minor mother placed in a child care institution accompanied by the Officer-in-charge when the child has no parents or guardians or relatives, as the case may be.

(2) The application for surrender of a child shall be in a prescribed **Form XXVI** and the deed of execution shall be in **Form XXVII**, to the effect that child is legally free for adoption after the expiry of sixty days from the date of surrender;

(3) The Specialised Adoption Agency or child care institution shall follow due procedure as provided in guidelines governing adoption of children notified by the Ministry of Women and Child Development, Government of India from time to time.

**52. Procedure before the court.-** The procedure for obtaining an Adoption Order from the court concerned shall be as provided in the Juvenile Justice (Care and Protection of Children) Act, 2015 and the Adoption Regulations, 2017 made there under, Regulations.

**53. Sponsorship.-** (1) The District Child Protection Unit may identify families and provide necessary support services in the form of sponsorship for child's education, health, nutrition and other developmental needs as an alternative to institutionalisation.

(2) The Committee or Board or the implementing department or head of institutions may allow individuals, institutions, corporate sector, financial institutions to sponsor or support the following in the interest of children and as part of corporate social responsibility initiatives, namely,-

- (i) any needy child including children rescued from child labour or bonded labour or his family shall be supported under sponsorship for higher education;
- (ii) any activity that may help to improve the behaviour of children through child development programme;
- (iii) cultural programmes, picnics, holiday camps, medical assistance, immunisation programmes, special medical assistance, inter school sports activities, creative arts and competition and seminars for children;
- (iv) any activity pertaining to job oriented training programmes, establishment of vocational rehabilitation centres and community colleges;
- (v) establishment of libraries, sports activities, creative arts and competitions or any other developmental programmes;
- (vi) improving infrastructures and amenities, construction or alteration of building.

(3) In respect of Government institutions the implementing department shall permit the Officer-in-charge of an institution to accept any sponsorship under intimation to the heads of department.

(4) All receipts under sponsorship shall be entered in a register with the complete details such as name, address, profession of the sponsor. The institutions receiving sponsorship, shall maintain proper and separate accounts of all the receipts and payments for the programme.

(5) The Board or Committee or District Child Protection Unit may inspect the activities and verify the relevant records on sponsorship.

(6) The Board or the Committee or the Children's court may suo motu or on an application received in this behalf, consider the placement of a child under sponsorship for which purpose it shall verify from the District Child Protection Unit whether a sponsor is available to support such child and pass an order for placement of the child under sponsorship in **Form XXVIII** for both de-institutionalisation or rehabilitation and send a copy to the institution and to the District Child Protection Unit.

(7) No organisation shall allow the privacy of the child, quality time and confidentiality of the condition of the child to be exploited in any manner in the name of sponsorship or any support programme.

**54. Foster care including group foster care.-** (1) Foster care shall be considered for orphan, abandoned, children from dysfunctional families or from institutions, children whose biological parents are either incapacitated or in a state of crisis and unable to provide the care and protection to the child.

(2) Foster care may be long term, short term, or placed in a group.

(3) Children who could not be placed on adoption due to various reasons shall be considered for foster care.

(4) De-institutionalization of children and placing them in foster care may be done with the orders of the Child Welfare Committee on the recommendation of the probation officer or District Child Protection Officer.

(5) Foster care shall be considered after obtaining the consent of the parents if they are alive and their place of residence is known.

(6) No twins and siblings shall be separated by a foster care placement, except under extraordinary circumstances. If for some reasons they are separated, arrangements shall be made for regular interaction between them.

(7) In group foster care, mixed genders shall be allowed to live in a family environment with a caregiver;

(8) The number of children placed under foster care shall not exceed ten children in one unit including biological children of the foster caregiver;

(9) Child Welfare Committee shall maintain a list of those families who volunteer themselves to be foster homes and are interested in being caregivers. Background checks shall be done on all who have volunteered to be prospective foster parents;

(10) A child may be removed from a foster home in the event of unwillingness to continue to live under foster care. Such a child shall be admitted to a child care institution.

**55. Criteria for selection of families for foster care.-** (1) Foster parents and members of the family shall have good physical, emotional and mental health and both the spouses must be willing to foster the same child.

(2) Foster parents shall have an adequate and regular income to meet out the expenditure relating to the needs of the child.

(3) The foster family shall have adequate space and basic amenities for growth and development.

(4) Foster parents shall not have been convicted for any offence;

(5) Foster parents shall be known for their respect, character and dignity in the local community.

(6) There shall not be any discrimination in selection of foster-parents on the basis of caste, religion, ethnic status and the best interest of the child shall be paramount in deciding foster-care placement.

(7) The foster parents shall be declared as 'fit persons' by the Committee before placing the child in that family after a thorough assessment of home study report done by the probation officer or District Child Protection Unit in **Form XXIX**.

**56. Programme implementation.-** Foster care shall be implemented in each district with the assistance of District Child Protection Unit. Children shall be placed directly with individual foster parents or as group foster care with such fit facility only under proper orders of the Child Welfare Committee.

**57. Role of District child protection unit in foster care.-** (1) The District Child Protection Unit shall help in identification of children for foster care placement in co-ordination with the Child Welfare Committee.

(2) The District Child Protection Unit shall select foster families based on their suitability, facilities and resources.

(3) The District Child Protection Unit shall carry out a home visit and preparation of assessment report on foster parents.

(4) The District Child Protection Unit shall arrange for counseling, training and orientation to the foster parents for receiving and caring of children.

(5) The District Child Protection Unit shall follow up and have a periodic review regarding comfort and relationship between the child and foster family.

(6) A follow up report shall be done once in every six months by the District Child Protection Unit.

**58. Procedure for placing a child.-** (1) The child shall be clearly informed on the foster care plan and the child's willingness and interest shall also be obtained. On completion of home visits if the District Child Protection Unit is of the opinion that the foster care arrangement shall benefit the child for growth and development rather than staying in an institution, the District Child Protection Unit shall submit a report to the Child Welfare Committee in this regard.

(2) On receipt of report from the District Child Protection Unit, the Child Welfare Committee shall examine all the records relating to the child and the future prospects of the child while placing under foster care.

(3) The Child Welfare Committee shall call for the foster parents to appear in person and make enquiry to confirm their genuine interest and their suitability to keep the child.

(4) The Child Welfare Committee shall interact and explain to the child the complete details of the foster care programme.

(5) On mutual interest of the child and the foster family, the Child Welfare Committee shall make an order in **Form XXX** to place the child under foster care.

**59. Agreement executed by foster parents.-** (1) The foster parents shall sign an undertaking in **Form XXXI** with the Child Welfare Committee to ensure the following during the period of foster care:-

(i) that the child shall be sent to school for continuing of education;

(ii) that the child shall be given proper health care and nutrition;

(iii) that the child shall be treated with decency and dignity and all efforts for growth be fulfilled;

(iv) that the child shall not be abused;

(v) that the foster parents shall co-operate for the home visit of the District Child Protection Unit or Child Welfare Committee to ensure the well being of the child;

(vi) that in case of violation of conditions or abuse of children, the child shall be withdrawn from their custody;

(vii) that the biological parents shall be free to visit their children during their stay with foster parents.

**60. Juvenile Justice Fund.-** The Government shall create a fund called the Juvenile Justice Fund and it shall be administered as per the provisions of the Tamil Nadu Juvenile Justice Fund Rules to be framed.

**61. Openness and Transparency.-** (1) All child care institution shall be open to visitors with the permission of the management committee, who may allow, voluntary organisations, social workers, researchers, doctors, academicians and such other persons keeping in view the security, welfare and the interest of the children. In case of Government run institutions the permission shall lie with the heads of departments concerned:

Provided that the Officer-in-charge of the child care institution shall also refrain certain persons or members of the public from access to the institution if in their assessment such persons are likely to disturb the overall well-being of children.

(2) The Officer-in-charge of the child care institution shall encourage active involvement of the local community in improving the condition in the institution, if, the members of the community want to serve the institution or want to contribute through their expertise.

(3) The Officer -in-charge shall maintain a visitors' book to record the remarks of the visitors.

(4) The Officer-in-charge will take all steps to inform the visitors to maintain the dignity of children.

**62. Training of personnel dealing with children.-** The Government shall provide for training of personnel appointed under the Act and these Rules and each category of staff, in keeping with their statutory responsibilities and specific job requirements.

**63. Repeal.-** The Tamil Nadu Juvenile Justice (Care and Protection of Children) Rules, 2001 is hereby repealed:

Provided that any action taken or order issued under the provisions of the Rules of 2001 prior to the notification of these rules shall, in so far it is not inconsistent with the provisions of these rules, be deemed to have been taken or issued under the provisions of these rules.

K. MANIVASAN,



Overall Economic status of Family: BPL/Poor/Lower Middle Class/Upper Middle Class/Well-to-do

**Description of Home & Living Conditions**

Type of House	No of Rooms	Drinking water	Bathroom/ Toilet	Environment/ Neighbourhood

If married, relevant particulars.....

Other relatives or agencies Interested .....

Attitude of family towards religion .....

Normal and ethical code of the home etc.....

Delinquency record of members of family .....

History of Family Member & offence Committed if any .....

**Inter – Personal relationship among the family members**

Relationship between Father and Mother

Parents and the Child

Siblings and the Child

Other factors of importance if any.....

**JUVENILES HISTORY**

Mental condition

(Present and past).....

Physical condition

(Present and past).....

Habits and interests

(moral, recreational etc.).....

Outstanding characteristics and

Personality traits.....

Companions and their influence.....

Truancy from home, if any

**Educational Details**

Education level/attainment .....

Name and Locality of the School last studied .....

Reason for leaving school, .....

Interest in Extra-curricular activities .....

Punishment given in the School

**Vocational training Details, If any**

Vocational interests.....

Training undergone/ formal/ on the job/informal.....

Jobs held, reason for leaving.....

Attitude towards employment.....

Religious beliefs and practices of the Child

Parental care towards the child/

Parent's attitude towards discipline in the home

And child's reaction.....

Neighbour's report.....

Any other remarks

**RESULT OF INQUIRY**

Emotional factors / Behaviour observed .....

Physical condition .....

Intelligence .....

Social and economic factors .....

Religious factors .....

Suggested causes of the problems.....

Analysis of the case, including reasons contributing factors for the offence / Child's own reaction / perspective to the offence

Opinion of experts consulted

Recommendation regarding rehabilitation and its Plan by Probation Officer

**Signature of the Probation Officer**

Stamp and Seal

## Form II

[ See rule 9(v) ]

## INFORMATION TO THE PROBATION OFFICER ABOUT APPREHENSION OF CHILD IN CONFLICT WITH LAW

Name of Child :

Age/Date of Birth :

Sex :

Father's Name :

Mother's Name :

Residential Address :

Date and time of taking charge :

Place where the child was taken charge of :

Relevant legal provision under which the  
child was taken charge of :

Nature of offence (Petty, Serious, Heinous) :

Brief history of the incident/  
Gist of the alleged offence :Descriptive marks/  
Identification marks of the child :

Date:

Signature of the Officer-in-charge of  
Police StationTo  
The Probation Officer,  
Department of \_\_\_\_\_  
\_\_\_\_\_

**Form III**  
**[ See rule 9(xv)]**  
**ORDER OF SOCIAL INVESTIGATION REPORT**

To

The Probation Officer

Reference No/Case No/Profile No:

Police Station/Crime No/u/s

Whereas a report/complaint has been received/inquiry is under process in Child Welfare Committee/Juvenile Justice Board \_\_\_\_\_(District Name) u/s \_\_\_\_\_of the Juvenile Justice (Care and Protection of children) Act, 2015/\_\_\_\_\_(any other legal provision) in respect of \_\_\_\_\_(name of the child), son/daughter of \_\_\_\_\_approximate age \_\_\_\_\_ residing at \_\_\_\_\_

You are hereby directed to enquire into the social antecedents, family background and circumstances of the alleged offence by the said child / circumstances of the child for needing care and protection if so, and submit your social investigation report on or before \_\_\_\_\_ or within such time allowed to you by the Board.

You are also hereby directed to consult an expert in child psychology / psychiatric treatment / counselling for their expert opinion if necessary and submit such report along with your Social Investigation Report.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

**(Signature)**  
**Principal Magistrate, Juvenile Justice Board/  
 Children's court**

**(Signature)**

**Chairperson / Member,**

## Child Welfare Committee

## Form IV

**[See rule 9 (xxxii)]  
SUPERVISION ORDER**

(The child is placed under the care of a parent, guardian or other fit person/fit facility)

Profile No. \_\_\_\_\_ of \_\_\_\_\_ 20 \_\_\_\_.

Whereas \_\_\_\_\_ (name of the child) has this day been found to have committed an offence and has been placed under the care of \_\_\_\_\_ (name) residing at \_\_\_\_\_ (address) on executing a bond by the said \_\_\_\_\_ and the Board is satisfied that it is expedient to deal with the said child by making an order placing him/ her under supervision.

It is hereby ordered that the said child be placed under the supervision of \_\_\_\_\_ probation officer/case worker, for a period of \_\_\_\_\_ subject to the following conditions:-

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

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_.

**Principal Magistrate, Juvenile Justice Board**

- Additional conditions, if any may be inserted by the Juvenile Justice Board

**Form V**  
**[See rule 9 (XL), 14(6), 15(7)(vi), 15 (8)(ii), 24(I)(i), 37(7)]**  
**INDIVIDUAL CARE PLAN**

**(Child in Conflict with Law / Child in Need of Care and Protection)**  
**(tick whichever is applicable)**

**Name of Case Worker/Child Welfare Officer/Probation Officer.....**

**Date of preparing the ICP .....**

Case/Profile No.....of 20.....

FIR No.....

U / Sections (Type of offence),applicable in case of Children in Conflict with Law.....

Police Station.....

Address of the Board or the Committee.....

Admission No.(if child is in an institution).....

Date of Admission (if child is in an institution).....

Stay of the child (Fill as applicable)

(i) Short term (up to six months)

(ii) Medium Term (six months to one year)

(iii) Long term (more than 1 year)

**A. PERSONAL DETAILS** (to be provided by child/parent/both on admission of the child in the institution)

1. Name of the child.....

2. Age/Date of Birth.....

3. Sex:Male/Female.....

4. Father's name:.....

5. Mother's name.....

6. Nationality.....

7. Religion.....

8. Caste.....

9. Language spoken.....

10. Level of Education.....

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

12. Details of child's earnings and belongings, if any.....

13. Details of awards/rewards received by the child, if any.....

14. Based on the results of Case History, Social Investigation Report and interaction with the child, give details on following

areas of concern and interventions required, if any

Sl. No.	Category	Areas of concern	Proposed Interventions
1	Child's expectation from care and protection		
2	Health and nutrition needs		
3	Emotional and psychological support needs		
4	Educational and Training needs		
5	Leisure, creativity and play		
6	Attachments and Inter-personal Relationships		
7	Religious beliefs		
8	Self care and life skill training for protection from all kinds of abuse, neglect and maltreatment		
9	Independent living skills		
10	Any other such as significant experiences which may have impacted the development of the child like trafficking, domestic violence, parental neglect, bullying in school, etc. (Please specify)		

**B. PROGRESS REPORT OF THE CHILD ( to be prepared every fortnight for first three months and thereafter to be prepared once a month)**

[Note: Use different sheet for Progress Report]

1. Name of the Probation Officer/Case Worker/Child Welfare Officer.....
2. Period of the report.....
3. Admission No.....
4. Board or Committee.....
5. Profile No.....
6. Name of the child.....
7. Stay of the child (Fill as applicable)
  - (i) Short term (up to six months)
  - (ii) Medium Term (six months to one year)
  - (iii) Long term (more than 1 year)
8. Place of interview ..... Dates.....
9. General conduct and progress of the child during the period of the report  
.....
10. Progress made with regard to proposed interventions as mentioned in point 14 of Part A of this Form.

S.No.	Category	Proposed Interventions	Progress of the child
1	Child's expectation from care and protection		
2	Health and nutrition needs		
3	Emotional and psychological support needs		
4	Educational and training needs		
5	Leisure, creativity and play		

6	Attachments and inter-personal relationships		
7	Religious beliefs		
8	Self care and life skill training for protection from all kinds of abuse, neglect and maltreatment		
9	Independent living skills		
10	Any other such as significant experiences which may have impacted the development of the child like trafficking, domestic violence, parental neglect, bullying in school, etc. (Please specify)		

11. Any proceedings before the Committee or Board or Children’s Court

- (i) Variation of conditions of bond
- (ii) Change of residence of the child
- (iii) Other matters, if any

12. Period of supervision completed on.....

Result of supervision with remarks (if any).....

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

Date of report.....Signature of the Probation Officer.....

**C. PRE-RELEASE REPORT (to be prepared 15 days prior to release)**

1. Details of place of transfer and authority concerned responsible in the place of transfer / release
2. Details of placement of the child in different institutions/family
3. Training undergone and skills acquired
4. Last progress report of the child (to be attached, refer Part B)
5. Rehabilitation and restoration plan of the child (to be prepared with reference to progress reports of the child)

Sl.No.	Category	Rehabilitation and restoration plan of the child
1	Child’s expectation from care and protection	
2	Health and nutrition	
3	Emotional and psychological	
4	Educational and training	
5	Leisure, creativity and play	
6	Attachments and inter-personal relationships	
7	Religious beliefs	
8	Self care and life skill training for protection from all kinds of abuse, neglect and maltreatment	
9	Independent living skills	
10	Any other such as significant experiences which may have impacted the development of the child like trafficking, domestic violence, parental neglect, bullying in school, etc. (Please specify)	

6. Date of release/transfer/repatriation.....
7. Requisition for escort if required.....
8. Identification proof of escort such as driving license, Aadhar Card, etc.....

9. Recommended rehabilitation plan including possible placements/sponsorships.....
10. Details of Probation Officer/non-governmental organization for post-release follow up .....
11. Memorandum of Understanding with non-governmental organisation identified for post release follow up (Attach a copy) .....
12. Details of sponsorship agency/individual sponsor, if any.....
13. Memorandum of Understanding between the sponsoring agency and individual sponsor (Attach a copy).....
14. Medical examination report before release.....
15. Any other information.....

**D. POST-RELEASE/RESTORATION REPORT OF THE CHILD**

1. Status of Bank Account : Closed / Transferred
2. Earnings and belongings of the child: handed over to the child or his parents / guardians – Yes / No
3. First interaction report of the Probation Officer/Child Welfare Officer/Case Worker / Social Worker/Non-Governmental Organisation identified for follow-up with the child post-release .....
4. Progress made with reference to Rehabilitation and Restoration Plan.....
5. Family's behavior/attitude towards the child.....
6. Social milieu of the child, particularly attitude of neighbours/community.....
7. How is the child using the skills acquired.....
8. Whether the child has been admitted to a School or vocation? Give date and name of the school/institute/any other agency Yes/No.....
9. Report of second and third follow-up interaction with the child after two months and six months respectively.....
10. Efforts towards social mainstreaming and child's opinion/views about it.....
11. Identity Cards and Compensation

[Instruction: Please verify with the physical documents]

IDENTITY CARDS	Present status (Please tick whichever is applicable)		Action taken
	Yes	No	
Birth Certificate			
School Certificate			
Caste Certificate			
BPL Card			
Disability Certificate			
Immunization Card			
Ration Card			
Aadhar Card			
Received compensation from Government			

Signature of the Probation Officer/Child Welfare Officer

Stamp and Seal

Form VI

[See rule 10 and 36 (3) (xiii)]  
**QUARTERLY REPORT OF JUVENILE JUSTICE BOARD**

District

Quarterly report for the period From \_\_\_\_\_ to \_\_\_\_\_

Details of Juvenile Justice Board

Sl.No	Details	Date of appointment	Training attended
1	Principal Magistrate		
2	Member-1		
3	Member-2		

**VISIT TO HOMES BY PRINCIPAL MAGISTRATE**

Date of Visit :

Name and Address of Home :

Remarks :

**VISIT TO JAILS BY PRINCIPAL MAGISTRATE**

Date of Visit

Whether any Children found

Action Taken

CASES INSTITUTED DURING THE QUARTER				
	PETTY	SERIOUS	HEINOUS	TOTAL
Number of cases				
Number of Children				
Children granted bail				
Children sent to Observation Home				
Number of cases where preliminary reports were submitted in stipulated time				

**PENDENCY OF CASES**

Nature of case	Old cases	New cases	Disposal	Current Pendency			
				Less than 4 Months	4 Months to 6 Months	6 Months to 1 Year	More than 1Year
PETTY							
SERIOUS							
HEINOUS							

TOTAL							
-------	--	--	--	--	--	--	--

**FINAL ORDER**

Total number of final orders passed

Discharged	Transfer to other JJB	Abated on Death	Transferred to Children's Court	Declared compounded and file consigned	Terminated under rule ----- (post production process)	Acquitted/ Finding of commission in offence

Nature of Dispositional orders where child has committed offence (mention the number of orders)

<b><u>COMPLAINT /SUGGESTION, IF ANY, RECEIVED AND ACTION TAKEN</u></b>		
<b><u>REMARK/SUGGESTION BY BOARD</u></b>		
Principal Magistrate		
Member-1		
Member-2		
<b>Principal Magistrate (Metropolitan Magistrate / Judicial Magistrate)</b>	<b>Member-1</b>	<b>Member-2</b>

--	--	--

Form VII

[See rule 11 (5)]

**UNDERTAKING / BOND TO BE EXECUTED BY A PARENT / GUARDIAN/ RELATIVE / FIT PERSON IN WHOSE CARE A CHILD IN CONFLICT WITH LAW IS PLACED**

(When the child is released in a case where the apprehension is not warranted)

Whereas I \_\_\_\_\_ being the parent, guardian, relative or fit person under whose care \_\_\_\_\_ (name of the Child) has been ordered to be placed by Child Welfare Police Officer/Special Juvenile Police Unit/ Officer-in Charge of Police Station of \_\_\_\_\_ ( Police Station concerned) and I have been directed by the said Officer to execute an undertaking / bond with surety for a sum of Rs. \_\_\_\_\_ (Rupees \_\_\_\_\_) or without surety. I hereby bind myself on the said \_\_\_\_\_ (name of the child) being placed under my care. I shall have the said child properly taken care of and I do further bind myself to be responsible for the good behaviour of the said child and to observe the following conditions:-

1. that I shall not change my place of residence without giving previous intimation in writing to the police station concerned
2. that I shall be present and produce the said child in my care on the dates during enquiry or proceedings before the Juvenile Justice Board \_\_\_\_\_ (District)
3. that I shall inform the police if the behavior of the said child restored in my care is beyond my control.
4. that I shall arrange for the proper care, education and welfare of the child.
5. that I shall take the preventive measures to see that the child does not commit any offence punishable by any law in India.
6. In the event of my making default herein, I undertake to produce myself before the Board for appropriate action or bind myself, as the case may be, to forfeit to Government the sum of Rs. \_\_\_\_\_ (Rupees \_\_\_\_\_).

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20.

**Signature of person executing the Undertaking/Bond.**

(Signed before me)

Signature of the CWO/SJPU/ Officer-in Charge of P.S.

Form VIII

[See proviso to rule 14 (2)]

**REQUESITION FOR TEMPORARY ADMISSION OF CHILD IN CONFLICT WITH LAW IN OBSERVATION HOME / PLACE OF SAFETY**

Whereas (Name of the Child) -----Son/Daughter of ----- aged ----- had been taken charge on -----at (time) -----from (place)

Please receive the said child and keep in your institution for night stay on ----- (date) until or upto such time produced before the Juvenile Justice Board functioning at -----.

I assure you that I shall take charge of the child and produce before the Board at its first sittings of the Board immediately thereafter on -----(Date)

Reason for taking charge of the child with relevant provisions and a brief History of the incident.

Descriptive or Identification marks of the child.

1. ---
2. ---

Date

Name & Designation,  
Signature of the CWO/  
Officer in Charge of Police Station

To

The Officer in Charge of the Observation Home/ Place of Safety,

**FORM IX**

[See rule 15(8)(iv)]

**PERIODIC REVIEW OF A CHILD IN PLACE OF SAFETY**

FIR No..... PS.....U/Sections

In the matter of ..... vs. ....

Whereas (name of the child) .....,age....., has on .....(date) been found to be a child in conflict with law, and has been placed in..... (Name of place of safety)

Date of admission to place of safety –

Period of Review: From..... to.....

Name of the Child.....

Father's Name.....

Date of admission.....

Next date of hearing.....

1. Case details and summary

.....

2. Individual Care Plan (Attach a copy)

.....

3. Fortnightly progress made as per Individual Care Plan

.....

4. Development of new interests

.....

5. Psycho-social progress made by the child: (to be prepared with the help of a psycho-social expert) .....

.....

I. Mental Status Evaluation

a. Appearance (Observed)- Possible descriptors: • posture, clothes, grooming.

b. Behavior (Observed) - Possible descriptors: • Mannerisms, gestures, psychomotor activity, expression, eye contact, ability to follow commands/ requests, compulsions

II. Attitude (Observed) - Possible descriptors: • Cooperative, hostile, open, secretive, evasive, suspicious, apathetic, easily distracted, focused, defensive.

III. Level of Consciousness (Observed) - Possible descriptors: • Vigilant, alert, drowsy, lethargic stuporous, asleep, comatose, confused, fluctuating.

IV. Orientation (Inquired) – Possible questions: • “What is your full name?” • “Where are we at (floor, building, city, county and state)?” • “What is the full date today (date, month, year, day of the week and season of the year)?” • “How would you describe the situation we are in?”

V. Speech and Language (Observed)

A. Quantity - Possible descriptors: • Talkative, spontaneous, quiet

B. Rate - Possible descriptors: • Fast, slow, normal, pressured.

C. Volume (Tone).

VI. Mood (Inquired): A sustained state of inner feeling – Possible questions: • “How are you feeling?” • “Have you been

discouraged/depressed/low?" • "Have you been energized/ elated/ high/out of control lately?" • "Have you been angry/ irritable?"

- VII. Affect (Observed): An observed expression of inner feeling.
- VIII. Thought Processes or Thought Form (Inquired/Observed): logic, relevance, organization, flow and coherence of thought in response to general questioning during the interview. - Possible descriptors: goal-directed, circumstantial, loose associations, incoherent, evasive, perseveration.
- IX. Thought Content (Inquired/Observed)
- X. Suicidality and Homicidality – Assessment
- XI. Insight (Inquired/Observed) –
- XII. Attention (Inquired/Observed) –
- XIII. Feelings of guilt / remorse: present / absent

6. Status of Current Educational / Vocational Rehabilitation Programme

- Motivation for the programme.....
- Level of cooperativeness.....
- Regularity.....
- Quality of work/performance.....

7. Impact of institutionalization on the person.....

8. Approach to evaluation / periodic follow ups.....

Willingness/ability to participate in treatment and rehabilitation in programs/facilities, consistent with public safety.

**RECOMMENDATIONS** (including whether the person may be released or released on conditions or requires further institutionalization with justification)

DATE :        //

PLACE :

NAME :

DESIGNATION :

SIGNATURE :

Recommendations/Findings: .....

**Signature / Seal**

Prepared by: .....  
 (Probation Officer ...../...../..... (date)

**FORM X**

[See rule 15(8) (vi) (c) (cd)]

**REHABILITATION CARD**

FIR No. /Case No.

U/Sections

Police Station

Nature of Offence: heinous, serious or petty (in case of child in conflict with law)

Name of Probation Officer/Child Welfare Officer/Rehabilitation cum Placement Officer:

.....

Name of the child:

Age:

Sex:

Father's name:

Mother's name:

Admission No.

Date of Admission:

Date of Provisional Release / Release:

**Services availed under Individual Care Plan –**

<b>Indicators</b>	<b>Child's expectation from care and protection</b>
<b>First Month</b>	<b>Plan :</b> <b>Outcome :</b>
<b>Second Month</b>	<b>Plan :</b> <b>Outcome :</b>
<b>Third Month</b>	<b>Plan :</b> <b>Outcome :</b>
<b>Fourth Month</b>	<b>Plan :</b> <b>Outcome :</b>

<b>Health and Nutrition</b>	
<b>First Month</b>	<b>Plan :</b> <b>Outcome :</b>
<b>Second Month</b>	<b>Plan :</b> <b>Outcome :</b>
<b>Third Month</b>	<b>Plan :</b> <b>Outcome :</b>

<b>Fourth Month</b>	<b>Plan :</b> <b>Outcome :</b>
<b>Emotional and psychological support needed</b>	
<b>First Month</b>	<b>Plan :</b> <b>Outcome :</b>
<b>Second Month</b>	<b>Plan :</b> <b>Outcome :</b>
<b>Third Month</b>	<b>Plan :</b> <b>Outcome :</b>
<b>Fourth Month</b>	<b>Plan :</b> <b>Outcome :</b>
<b>Education and Training</b>	
<b>First Month</b>	<b>Plan :</b> <b>Outcome :</b>
<b>Second Month</b>	<b>Plan :</b> <b>Outcome :</b>
<b>Third Month</b>	<b>Plan :</b> <b>Outcome :</b>
<b>Fourth Month</b>	<b>Plan :</b> <b>Outcome :</b>
<b>Leisure, creativity and play</b>	
<b>First Month</b>	<b>Plan :</b> <b>Outcome :</b>
<b>Second Month</b>	<b>Plan :</b> <b>Outcome :</b>
<b>Third Month</b>	<b>Plan :</b> <b>Outcome :</b>
<b>Fourth Month</b>	<b>Plan :</b> <b>Outcome :</b>
<b>Attachments and Inter-personal Relationships</b>	
<b>First Month</b>	<b>Plan :</b> <b>Outcome :</b>
<b>Second Month</b>	<b>Plan :</b> <b>Outcome :</b>
<b>Third Month</b>	<b>Plan :</b> <b>Outcome :</b>

<b>Fourth Month</b>	<b>Plan :</b> <b>Outcome :</b>
<b>Self-Care and Life Skill Training for Protection from all kinds of abuse, neglect and maltreatment</b>	
<b>First Month</b>	<b>Plan :</b> <b>Outcome :</b>
<b>Second Month</b>	<b>Plan :</b> <b>Outcome :</b>
<b>Third Month</b>	<b>Plan :</b> <b>Outcome :</b>
<b>Fourth Month</b>	<b>Plan :</b> <b>Outcome :</b>
<b>Independent living skills</b>	
<b>First Month</b>	<b>Plan :</b> <b>Outcome :</b>
<b>Second Month</b>	<b>Plan :</b> <b>Outcome :</b>
<b>Third Month</b>	<b>Plan :</b> <b>Outcome :</b>
<b>Fourth Month</b>	<b>Plan :</b> <b>Outcome :</b>
	<b>Any other such as significant experiences which may have impacted the development of the child like trafficking, domestic violence, parental neglect, bullying in school etc.</b>
<b>First Month</b>	<b>Plan :</b> <b>Outcome :</b>
<b>Second Month</b>	<b>Plan :</b> <b>Outcome :</b>
<b>Third Month</b>	<b>Plan :</b> <b>Outcome :</b>
<b>Fourth Month</b>	<b>Plan :</b> <b>Outcome :</b>

Other services provided to the child, including compensation, other benefits etc.

Report of the detailed psychiatric assessment done by certified psychiatrist to be attached along with Rehabilitation card

Date of report and reason for conducting the said assessment (Provisional Release / Release/ Any other)

1. Overall progress shown by the child on the above mentioned aspects of the Individual Care Plan
2. Child's acceptance and understanding of his actions and its consequences
3. Child's willingness to reform
4. Child's behavior and conduct
5. Offence committed by the child , if any reported by family or neighbourhood, in case of a child in conflict with law who is not

placed in a Child Care Institution

Signed by  
JJB/ CWC

**FORM XI**  
[See rule 22(i)]

**REPORT TO BE SUBMITTED AT TIME OF PRODUCTION OF CHILD BEFORE THE CHILD WELFARE COMMITTEE**

Case No.....

Produced before the Child Welfare Committee.....

Date of production..... Time of production.....

Place of production.....

1. Details of person who is producing the child:

Name of the person .....

Age.....

Sex.....

Address .....

Contact number.....

Occupation/ designation.....

Name of the organization/Child Care Institution/  
Specialised Adoption Agency .....

2. The child who is being produced:

Name (if any).....

Age (stated age/ age based on appearance) .....

Sex .....

Identity mark/s.....

Language used by the child.....

3. Details of parents / guardians (if available):

Name .....

Age.....

Address.....

Contact number.....

Occupation.....

4. Place where the child was found.....

5. The details of the person (if any) with whom the child was found:

Name .....

Age.....

Address.....

Contact number.....

- Occupation.....
6. Circumstances under which the child was found.....
7. Allegation by the child of any offence / abuse committed on the child in any manner.....
8. Physical condition of the child.....
9. Belongings of the child at the time of production.....
10. Date and Time at which the child came to the Child Care Institution/Specialised Adoption Agency .....
11. Immediate efforts made to trace family of the child .....
12. Medical treatment, if provided to the child .....
13. Whether police has been informed .....

**Signature/ Thumb impression of the child**

**Signature/ Thumb impression of the person  
who produced the child**

Police-Local Police/Special Juvenile Police Unit/ designated child welfare police officer / Railway Police/Probation Officers/

any public servant/Social Welfare Organization/Social Worker/ Person in-charge of CCI/ SAA/ any citizen/Child himself/herself (fill as applicable)

**FORM XII**  
[See rule 22 (vi)]

**CASE SUMMARY MAINTAINED BY THE CHILD WELFARE COMMITTEE**

Case No.....

- 1) Name of the Child
- 2) Father's / Mother's /Guardian's Name
- 3) Date of production of the child
- 4) Name of the person producing the child
- 5) A list of all follow up dates (of the child, before the Committee)
- 6) Orders passed by the CWC (tick as applicable)

Declaration that child is in need of care and protection / Finding on age of child / Medical Examination

Interim custody

Undertaking (by parent, guardian or fit person, if applicable)

Order appointing NGO etc.

Order for compensation / recovery of wages (if applicable)

Transfer order

Final Order (concluding inquiry)

Any other order

Medical Records including but not limited to age verification.....

Social Investigation Report.....

Individual Care Plan.....

Case History .....

All details, documents and records with regards to Sponsorship / Foster Care /Adoption services (if applicable)

**Date:**

Place:

(Signatures)  
Child Welfare Committee.

## FORM XIII

[See rule 22 (x)]

ORDER FOR PLACEMENT OF CHILD UNDER THE CARE OF A PARENT, GUARDIAN OR FIT PERSON  
PENDING INQUIRY

Case No. .... of ..... 20.....

Whereas (name of the child)..... has on..... (date) been found to be in need of care and protection, and is placed under the care and supervision of (name)..... (address)..... on executing a bond by the said ..... and the Committee is satisfied that it is expedient to deal with the said child by making an order placing him / her under supervision.

It is hereby ordered that the said child be placed under the supervision of (name) ..... (address) ..... for a period of ..... This shall be subject to the following conditions that:

- 1) The child along with the copies of the order and the bond, if any, executed by the said ..... shall be produced before the Committee as and when required by the person executing the bond.
- 2) the child shall reside at ..... for a period of .....
- 3) the child shall not be allowed to quit the district jurisdiction of ..... without the permission of the Committee.
- 4) the child shall go to school / vocational training centre regularly. The Child shall attend ..... (name of) School / Vocational training centre (if already identified) at ..... (address of school/vocational training centre).
- 5) the person under whose care the child is placed shall arrange for the proper care, education and welfare of the child.
- 6) the child shall not be allowed to associate with undesirable characters and shall be prevented from coming in conflict with law.
- 7) the child shall be prevented from taking narcotic drugs or psychotropic substances or any other intoxicants.
- 8) the directions given by the Committee from time to time, for the due observance of the conditions mentioned above, shall be carried out.

Dated this ..... day of ..... 20.....

(Signature)  
Chairperson / Member  
Child Welfare Committee.

- Additional conditions, if any may be inserted by the Child Welfare Committee.

**FORM XIV**

[See rule 22 (x)]

**UNDERTAKING BY THE PARENT/GUARDIAN OR 'FIT PERSON' TO WHOM CHILD IS PLACED WITH PENDING INQUIRY / RESTORATION (to Child Welfare Committee)**

I -----S/o----- residing at -----(full address)----- being -----(relationship) do hereby declare that I am willing to take charge of -----(name of the child) ---- aged----- under the orders of the Child Welfare Committee -----(District) subject to the following terms and conditions:

- (i) If his/her conduct is unsatisfactory, I shall at once inform the Committee.
- (ii) I shall do my best for the welfare, Education, Health Care of the said child as long as he / she remains in my charge and shall make proper provision for his/her maintenance.
- (iii) I undertake to produce him/her before the competent authority as and when required.
- (iv) I shall inform the change of residence to the Child Welfare Committee.
- (v) I shall do my best for the implementation of the individual care plan by the Child Welfare Committee.(if any)

Dated this .....day of .....20

**Signature****Signature and address of witness (es)**

**(Signed before me)**  
**Chairperson, Child Welfare Committee**

- Additional conditions, if any may be inserted by the Child Welfare Committee

## FORM XV

[See rule 22 (xi)]

## ORDER OF RESTORATION/PLACEMENT OF A CHILD IN AN INSTITUTION

Case No.

To  
The Officer-in-Charge

Whereas on the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_ (name of the child) \_\_\_\_\_, son/daughter of \_\_\_\_\_ aged \_\_\_\_\_ residing at \_\_\_\_\_ being in need of care and protection under section 36(3) of the Juvenile Justice (Care and Protection of Children) Act, 2015 (Central Act 2 of 2016) is ordered by the Child Welfare Committee \_\_\_\_\_, to be kept in the Children's Home / Fit Facility / Specialized Adoption Agency \_\_\_\_\_ (Name and address of the Institution) for a period of \_\_\_\_\_ as per section 37(1)(c) of the Juvenile Justice (Care and Protection of Children) Act, 2015.

This is to authorize and request you to receive the said child in your charge, and to keep him/her in the Children's Home/ Fit Facility for the aforesaid order to be carried into execution according to law.

Given under my hand and the seal of Child Welfare Committee.

This \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

(signature)  
Chairperson/ Member  
Child Welfare Committee

Encl:

Copy of the orders, particulars of home and previous record, case history and individual care

plan, whichever is applicable:

**Form XVI**

[See rule 22 (xiv)]

**QUARTERLY REPORT OF CHILD WELFARE COMMITTEE**

District

Quarterly report for the period From To

Details of CWC

S.No	Details	Date of appointment	Training attended
1	Chairperson		
2	Member-1		
3	Member-2		
4	Member-3		
5	Member -4		

Details of Cases with CWC

Sl.No.	Number of cases at the beginning of Quarter	Number of cases received during the quarter	Number of cases disposed of during the quarter	Number of cases pending at the end of quarter	Reasons for pendency

**FINAL ORDER**

Total number of final orders passed during the quarter

Released to parents / Guardian / Fit person/ Fit facility	Transfer to other CWC	Ordered to stay in CCI	Declared legally free for adoption	Recommended for Foster care / Sponsorship / After care	Recommended to JJB for filing FIR	Initiate process of compensation to Child, if eligible

**VISIT TO HOMES BY CHAIRPERSON / MEMBERS**

Date of visit

Name and address of Home visited

Remark/suggestion of the Committee

Signature of Chairperson

Seal

**FORM XVII**  
[See rule 22 (xvii)]

**SOCIAL INVESTIGATION REPORT (for Child in need of Care and Protection)**

Sl. No \_\_\_\_\_

Case No. and Child Welfare Committee : \_\_\_\_\_

Name of the child: \_\_\_\_\_ Religion \_\_\_\_\_  
 Nick name of the Child \_\_\_\_\_ Caste \_\_\_\_\_  
 Father's Name \_\_\_\_\_ Date of birth/Age \_\_\_\_\_  
 Permanent Address \_\_\_\_\_ Sex \_\_\_\_\_

Address of last residence/  
Who does the child stay with: \_\_\_\_\_

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

**FAMILY DETAILS**

Relationship to the Child	Name	Age	Education	Occupation	In-come	Health Status	Disabili-ties if any	Others/ Social habits
Father								
Step Father								
Mother								
Step Mother								
Siblings								
Guardian/ Relative/ Others								

Overall Economic status of Family

BPL                      Poor                      Lower Middle Class                      Upper Middle Class                      Well-to-do

Description of Home &amp; Living Conditions

Type of house: \_\_\_\_\_

No. of Rooms: \_\_\_\_\_

Toilet facilities: Yes                      No

Drinking Water: Yes                      No

Environment:                      Unhealthy                      Overcrowded                      Clean

If married, relevant particulars \_\_\_\_\_

Other 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 if any \_\_\_\_\_

**Inter – Personal Relationship among the family members**

Relationship between Father and Mother

Parents and the Child

Siblings and the Child

Other factors of importance if any \_\_\_\_\_

**CHILD'S HISTORY**Mental condition  
(Present and past) \_\_\_\_\_Physical condition  
(Present and past) \_\_\_\_\_Habits, interests  
(moral, recreational etc.,) \_\_\_\_\_Outstanding characteristics and  
personality traits \_\_\_\_\_Companions and their influence \_\_\_\_\_  
Truancy from home, if any**Educational Details**

Education level/attainment .....

Name and Locality of the School .....

Reason for leaving school, if so .....

Interest in Extra-curricular activities .....

**Vocational training Details**

Vocational interests.....

Training undergone.....

Jobs held, reason for leaving.....

Attitude towards employment.....

Parent attitude towards discipline  
in the home and child's reaction.....

Neighbours report.....

Any other remarks

**RESULT OF INQUIRY (Descriptive)**

Emotional factors :

Physical condition :

Intelligence :

Social and economic factors :

Reasons for child's need for care and protection :

Opinion of experts consulted :

Recommendation of the Probation Officer :

**Signature of the Probation Officer or  
of the person assigned**

**FORM XVIII****[See rule 22 (xxi)]****ORDER FOR RESTORATION TO PARENTS / GUARDIAN THROUGH ESCORT**

The Child Welfare Committee .....(District) on completion of the enquiry and based on the records / field enquiry reports had decided to restore the child ..... to his/her parents/guardians.....(name) residing at ..... (address). The said parents/guardians had not appeared before the Child Welfare Committee.

Hence, the Officer in charge of the .....Home ..... (Place) is hereby ordered to restore the said child to the above mentioned parents/guardians through proper escort after verifying the identity of the parents/guardians.

Ordered this the .....day of .....20

Child Welfare Committee  
(Seal)

**FORM XIX**  
[See rule 22 (xxix)]

**MONTHLY REPORT OF OPEN SHELTERS TO CHILD WELFARE COMMITTEE/ DISTRICT CHILD PROTECTION UNIT**

Name of the Open Shelter.....

Name of the In-charge .....

Registration No.....

Address of the Home.....

Period of the Report.....

Details of children available on

Sl. No	Name of the child	Father's name	Address of the Child, if available	Date of admission	Reason for admission	Duration of stay	Facilities-availed	Produced-before CWC (Yes/No)	Remarks, if any

Total number of children admitted during the month.....

Total number of children in the Open Shelter on the last day of the month.....

Total number of children who availed the facilities of the Open Shelter during the month.....

Out of these the number of children who availed the services only during the day in the month:

Signature  
In-charge of the Open Shelter Home

**FORM XX**  
[See rule 24 (i)]

**CASE HISTORY OF CHILD**  
**(for Child Care Institution)**

Case/Profile No. \_\_\_\_\_

Affix a latest photograph here

Date & Time \_\_\_\_\_

**A. PERSONAL DATA**

1. Name
2. Male / Female
3. Age at the time of admission
4. Category: Separated from family/abandoned/deserted/victim of exploitation and violence (give detail)/run-away/any other
5. Religion : Hindu/Muslim/Christian/Other – (OC/BC/SC/ST) (pl. specify)
6. Native District & State:
7. By whom the juvenile was brought before the Child Welfare Committee / Juvenile Justice Board (tick as applicable):
  - i. Police-Local Police/Special Juvenile Police Unit/Railway Police/Women Police
  - ii. Probation Officers
  - iii. Social Welfare Organization
  - iv. Social Worker
  - v. Parents(s)/Guardian (please specify the relationship)
8. Reasons for leaving the family:
  - i. Abuse by parent(s) / guardian(s) / step parent(s)
  - ii. In search of Employment
  - iii. Peer group influence
  - iv. Incapacitation of parents
  - v. Criminal behaviour of parents
  - vi. Separation of Parents
  - vii. Demise of parents
  - viii. Poverty
  - ix. Others (please specify)
9. Types of abuse met by the child:
  - a) Verbal abuse – (parents/siblings/employers/others (pl. specify)
  - b) Physical abuse -
  - c) Sexual abuse parents/siblings/employers/others (Pl. specify)
  - d) Others – parents/siblings/employers/others (pl. specify)

## 10. Types of ill-treatment met by the child:

- a) Denial of food – parents/siblings/employers/others (pl. specify)
- b) Beaten mercilessly – parents/Siblings/employers/others (pl. specify)
- c) Causing injury – parents/siblings/employers/others (pl. specify)
- d) Others (pl. specify) – parents/siblings/ employers/others (pl. specify)

## 11. Exploitation faced by the child:

- i. Extracted work without payment
- ii. Little(low) wages with longer duration of work
- iii. Others (pl. specify)

## 12. Health status of the child before admission:

i	Respiratory disorders	present / not known / absent
ii	Hearing impairment	present / not known / absent
iii	Eye disease	present / not known / absent
iv	Dental disease	present / not known / absent
v	Cardiac Disease	present / not known / absent
vi	Skin disease	present / not known / absent
vii	Sexually transmitted disease	present / not known / absent
viii	Neurological disorders	present / not known / absent
ix	Mental Handicap	present / not known / absent
x	Physical handicap	present / not known / absent
xi	Urinary tract infections	present / not known / absent
xii	Others (pl. specify)	present / not known / absent

## 13. With whom the child was staying prior to admission:

- i. Parent(s)- Mother/Father/ Both
- ii. Guardian(s) – Relationship
- iii. Friends
- iv. On the street
- v. Night Shelter
- vi. Orphanages / Hostels / Similar Homes
- vii. Others (pl. specify)

## 14. Visit of the parents to meet the child

- i) Prior to institutionalization - Frequently / Occasionally / Rarely / Never
- ii) After institutionalization - Frequently / Occasionally / Rarely / Never

## 15. Visit of the child to his family Frequently / Occasionally / Rarely /During festival times / During summer holidays

- i) Prior to institutionalization - Frequently / Occasionally / Rarely/During festival times / During summer holidays
- ii) After institutionalization - Frequently / Occasionally / Rarely /During festival times / During summer holidays

## 16. Correspondence with parents - (mark as Frequently / Occasionally / Rarely /During festival times / During summer holidays)

**B CHILDHOOD HISTORY (up to the age of 12 years)**

## 17. Birth details

- i) Normal delivery / prolonged delivery / caesarian

ii) Under weight / normal weight/ over weight

18. Details of immunization provided

19. Details of handicap

- a) Hearing impairment By birth/ After accident/ diseases
- b) Speech impairment By birth/ After accident/ diseases
- c) Physical handicap By birth/ After accident/ diseases
- d) Mental handicap By birth/ After accident/ diseases
- e) Others (please specify)

**C. FAMILY DETAILS:**

20. Household Composition:

Sl. No	Name & Relationship	Age	Sex	Education	Occupation	Income	Health	History of Mental illness	Handicap	Habit	Socialization

21. Type of family : Nuclear family / Joint family / Broken family

22. Relationship among the family members:

i	Father & mother	Cordial / Non cordial / Not known
ii	Father & child	Cordial / Non cordial / Not known
iii	Mother & child	Cordial / Non cordial / Not known
iv	Father & siblings	Cordial / Non cordial / Not known
v	Mother & siblings	Cordial / Non cordial / Not known
vi	Juvenile & siblings	Cordial / Non cordial / Not known

23. History of crime committed by family members:

S.No	Relationship	Nature of crime	Arrest if any made	Period of confinement	Punishment awarded
	Father				
	Step Father				
	Mother				
	Step Mother				
	Brother				
	Sister				
	Child				
	Others				

24. Movable and Immovable Properties owned by the family:

25. Parental care towards juvenile before admission:

- i. Over protection
- ii. Affectionate
- iii. Attentive
- iv. Not affectionate
- v. Not attentive
- vi. Rejection

**D. ADOLESCENCE HISTORY (Between 12 and 18 years)**

26. Puberty

27. Details of delinquent behaviour if any

- i. Stealing
- ii. Pick pocketing
- iii. Arrack selling
- iv. Drug pedaling
- v. Petty offences
- vi. Violent crime
- vii. Rape
- viii. None of the above
- ix. Others (please specify)

28. Reason for delinquent behavior as assessed

- i. Parental neglect
- ii. Parental overprotection
- iii. Parents criminal behavior
- iv. Parents influence (negative)
- v. Peer group influence
- vi. To buy drugs
- vii. Alcohol
- viii. Others (pl. specify)

29. Habits (negative)

A

- i. Smoking
- ii. Alcohol consumption
- iii. Drug use (specify)
- iv. Gambling
- v. Begging
- vi. Any other

B

- i. Watching TV/movies
- ii. Playing indoor/outdoor games
- iii. Reading books
- iv. Religious activities
- v. Drawing/painting/acting/singing
- vi. Any other

30. Skills and Talent (PI Specify)

**E. EMPLOYMENT DETAILS:**

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

SI.No.	Details of employment	Time and Duration	Wages earned
i.	Cooly		
ii.	Rag picking		
iii.	Mechanic		
iv.	Hotel work		
v.	Tea shop work		
vi.	Shoe polish		
vii.	Household works		
viii.	Others (pl. specify)		

**F. EDUCATIONAL DETAILS:**

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

- i. Illiterate
- ii. Studied up to V Standard
- iii. Studied above V Std but below VIII Standard
- iv. Studied above VIII Std but below X Standard
- v. Studied above X Standard

33. The reason for leaving the School

- i. Failure in the class last studied
- ii. Lack of interest in the school activities
- iii. Indifferent attitude of the teachers
- iv. Peer group influence
- v. To earn and support the family
- vi. Sudden demise of parents
- vii. Absenteeism followed by running away from school
- viii. Others (pl. specify)

34. The details of the school in which studied last:

- i. Corporation
- ii. Municipal
- iii. Panchayat Union
- iv. Government
- v. Welfare School
- vi. Private management

35. Medium of instruction:

Hindi/English/Urdu/Tamil/Malayalam/Kannada/Telugu/Other language (please specify)

36. Vocational training undergone from the date of admission into Children's Home till date.

- i. No. of years
- ii. Name of Vocational Trade
- iii. Proficiency Attained
- iv. Details of Certification

37. Extra curricular activities developed from the date of admission into the Children's Home till date

- i. Scout
- ii. Sports (please specify)
- iii. Athletics (please specify)
- iv. Drawing
- v. Painting
- vi. Others (pl. specify)

#### G. MEDICAL HISTORY

38. Height and weight at the time of admission:

39. Physical condition:

40. Medical history of the child (gist):

41. Medical history of the parent/guardian (gist):

42. Present health status of the child:

Sl.No.	Annual Observation	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
	Date of review				
	Height				
	Weight				
	Nutritious diet given				
	Dental				
	ENT- Tonsils				
	External eye problem: vision				

43. Height and Weight Chart:

Date, Month & Year	Height	Admissible weight	Actual weight

#### H. SOCIAL HISTORY

44. Details of friendship prior to admission into Children's Home:

- i. Co-workers
- ii. School Friend
- iii. Neighbours
- iv. Others (pl. specify)

45. Majority of the friends are

- i. Educated
- ii. Illiterate
- iii. same age group
- iv. Older in age

- v. Younger in age
- vi. Same sex
- vii. Opposite sex

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

- i. Associated with cine fans association
- ii. Association with religious group
- iii. Associated with arts and sports club
- iv. Associated with gangs
- v. Associated with voluntary social service league
- vi. Others (please specify)

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

- i. Leader
- ii. Second level leader
- iii. Middle level functionary
- iv. Ordinary member

48. Purpose of taking membership in the group:

- i. For social service activities
- ii. For leisure time spending
- iii. For pleasure seeking activities
- iv. For deviant activities
- v. Others (please specify)

49. Attitude and meeting place of the group / league

- i. Respect the social norms and follow the rules
- ii. Interested in violating the norms
- iii. Impulsive in violating the rules

50. The location/meeting point of the groups

- i. Usually at fixed place
- ii. Places are changed frequently
- iii. No specific places
- iv. Meeting point is fixed conveniently

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

- i. Supportive
- ii. Rejection
- iii. Abuse
- iv. Ill-treatment
- v. Exploitation

52. The reaction of the police towards children

- i. Passionate
- ii. Cruel
- iii. Abuse
- iv. Exploitation
- v. Ill-treatment

53. The response of the general public towards the child.....

**HISTORY OF THE CHILD (Brief)**

- (i) Education
- (ii) Health
- (iii) Vocational training
- (iv) Extracurricular activities
- (v) Others

Suggestion of Child Welfare Officer/ Probation Officer after orientation to juvenile/child and the response towards orientation  
Follow up by Child Welfare Officer/ Probation Officer/ Social Worker

Quarterly Review of Case History by Management Committee

**SUPERINTENDENT/CHILD WELFARE OFFICER/  
PROBATION OFFICER**

## FORM XXI

[See rule 26 (1)]

## APPLICATION FOR FIT FACILITY

1	Detail of Institution / Agency / Organisation which seeks recognition as fit facility	
1. a	Name of the Institution / Agency / Organisation	
1.b	Registration number and date of Registration of the Institution / Organization under the relevant Act (Annex-Relevant documents of registration, bye-laws, memorandum of association)	
1.c	Complete address of the Applicant / Institution / Organization	
1.d	STD Code / Telephone No.	
1.e	STD Code / Fax No.	
1.f.	e-mail address	
1.g	Whether the organization is of all India character, if yes, give address of its branches, in other States	
1.h	If the Institution had been denied recognition earlier? If yes i. Reference No. of application leading to denial of recognition ii. Date of denial iii. Who had denied the recognition iv. Reason for denial of recognition	
2	Details of the proposed fit facility	
2.a	Complete address / location of proposed Fit Facility	
2.b	STD Code / Telephone No.	
2.c	STD Code / Fax No.	
2.d	e-mail	
3	Connectivity (Name and Distance from the proposed Fit Facility)	
3.a	Main Road	
3.b	Bus Stand	
3.c	Railway Station	
3.d	Any land mark	
4	Infrastructure	
4.a	No. of Rooms (Mention with measurement)	

4.b.	No. of toilets (mention with measurement)	
4.c	No. of Kitchens (mention with measurement)	
4.d	No. of sick room	
4.e	Annex-copy of blue print of the building (authentic sketch plan of building)	
4.f	Arrangement to deal with unforeseen disaster also mention the kind of arrangement made i) Fire ii) Earth quake iii) Any other arrangement	
4.g.	Arrangement of Drinking water (Annex-Certificate from Public Health Engineering (PHE) Department)	
4.h.	Arrangement to maintain sanitation and hygiene i) Pest Control ii) Waste disposal iii) Storage area iv) Any other arrangement	
4.i	Rent agreement / building maintenance estimate (whichever is applicable) (Annex – copy of Rent agreement)	
5.	Capacity of the Fit Facility	
6	Facilities Available (would depend on the purpose for which recognition as Fit Facility is to be given)	
6.c	Any other facility that shall impact on the overall development of the Child	
7	Staffing	
7.a	Detailed staff list	
7.b	Name of partner organizations	
8.	Background of the Applicant	
8.a	Major Activities of the organization in last two years	
8.b.	An updated list of members of the management committee / governing body in the enclosed format (Annex-Resolution of the annual meeting)	
8.c	List of assets/infrastructure of the organization	
8.d	If the organization is registered under the Foreign Contribution (Regulation) Act, 1976 (Annex-Certificate of registration)	

8.e	Details of foreign contribution received last two years (Annex- relevant documents)	
8.f	List of other sources of grant-in-aid funding (if any) with the name of the scheme / project, purpose amount, etc., (separately)	
8.g	Details of existing bank account of the agency indicating branch code account No.	
8.h	Whether the agency agrees to open a separate bank account for the grant proposed	
8.i	Annex- Photocopy of Accounts of last three years i) Auditors report ii) Income and Expenditure Account iii) Receipt and Payment Account iv) Balance Sheet of the Organization	

I have read and understood the Juvenile Justice (Care and Protection of Children Act), 2015 and the Tamil Nadu Juvenile Justice (Care and Protection of Children) Rules, 2017.

..... (Name of the Organization / Institution) has complied with all the requirements to be granted recognition as a Fit Facility under the Juvenile Justice (Care and Protection of Children) Act, 2015 and the Tamil Nadu Juvenile Justice (Care and Protection of Children) Rules, 2017.

I declare that no person associated with the organization has been previously convicted or has been involved in any immoral act or in any act of child abuse or employment of child labour or an offence involving moral turpitude and that the organization has not been blacklisted by the Central or the State Government at any point of time.

I undertake to abide by all the conditions laid down by the Central / State Act, Rules, Guidelines and Notifications in this regard.

I undertake to abide by the orders passed by the Juvenile Justice Board or the Child Welfare Committee from time to time.

Signature of the authorized signatory: .....

Name:

Designation:

Address:

District:

Date:

Office Stamp:

Signature of:

Witness No.1.....

Witness No.2 .....

## Form XXII

[See rule 26 (2)]

**Certificate of Recognition of Fit Facility**

After perusal of the documents and on the basis of an inspection of the Institution conducted on ..... the ..... (Name of the Institution) is recognized as a Fit Facility under Section 51 of the Juvenile Justice (Care and Protection of Children) Act, 2015 with effect from ..... for a period of ..... years.

The Facility shall remain bound to follow the Juvenile Justice (Care and Protection of Children) Act, 2015, the Tamil Nadu Juvenile Justice (Care and Protection of Children) Rules, 2017 and regulations framed by the appropriate Government from time to time.

The Facility shall remain bound to comply with the orders passed by the Juvenile Justice Board or the Child Welfare Committee from time to time.

Dated this ..... day of ..... 20.....

**(Signature)**  
**(Seal)**

Dated this ..... day of ..... 20.....

**(Signature)**

Chairperson, Child Welfare Committee / Principal Magistrate, Juvenile Justice Board.

## Form XXIII

[See rule 33(1)(i) and 33 (4)]

**APPLICATION FOR REGISTRATION/RENEWAL OF CHILD CARE INSTITUTION UNDER THE JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2015**

1. Name and address of the child care Institution :  
 Phone Number  
 Fax No  
 e.mail
2. Registered Office of the NGO (Full Address) :
3. Nature of the home :
4. Name and address of the contact person :
5. Details of the governing body (managing committee/  
 Executive committee) :  
 Registration number and date of Registration of the  
 Institution / Organisation under the relevant Act.
6. Under which act the registration is made :  
 i) Number, date and place of registration  
 ii) If renewed, the renewal details
7. Total accommodation capacity of the Child Care Institution :  
 (Girls and Boys)
8. Total number of children at present :  
 i) Girls  
 ii) Boys
9. Infrastructure available in the Child Care Institutions :  
 i) Total area of campus  
 ii) Total living area of Building inclusive of the  
 Living area provided to each child, Kitchen, Dining  
 Hall, Store Room, Sick Room, First aid room,  
 Library, separate bathrooms and toilets for girls  
 and boys  
 iii) Plinth area of each floor of the building  
 iv) Number of floors  
 v) Play ground  
 vi) Details of building available for academic  
 Programme with specifications  
 vii) Details of facilities available for  
 i) Vocational  
 ii) Socio-cultural recreational  
 iii) Eco friendly programmes with specifications  
 viii) Buildings stability certificate and sanitation certificate  
 Obtained either from Public Works Department/  
 Registered Chartered Engineer/ Registered Chartered  
 Architect (mention the validity period)  
 ix) Certificate from Fire Service and Rescue Department

10.
  - i) Number of rooms allotted for girls in the age group of 5 to 10
  - ii) Number of rooms allotted for girls in the age group of 11 to 18
11.
  - i) Number of rooms allotted for boys in the age group of 5 to 10
  - ii) Number of rooms allotted for boys in the age group of 11 to 18
12. Details of the officer in-charge of the Child Care Institution
  - i) Name
  - ii) Age
  - iii) Educational Qualification
  - iv) Experience
13. Details of entry and exit points in the institution
14. Details of security personnel provided for the institution
15.
  - i) Specify locations where the CCTV cameras have been installed
  - ii) If not installed, action taken to install the same
16. Details of menu provided
17. Details of rooms allocated for office in-charge of the Child Care Institution
18. Details of the compound Wall Fencing etc., available for Restricted entry
19. Bathroom / toilet facilities provided
20. Details of the children going to schools
21. Details of registers maintained in the institution
22. Details of the visitors room and visiting hours
23. Details of the supervision of the visitors during the visiting hours
24. Whether identity cards issued to the warden or care taker/care giver of security personnel by the institution
25. Whether the mobile number of the officer in-charge of Child Care Institution is prominently displayed.
26. Whether Child Help Line number 1098 displayed in the institution
27. The details of the children registered in Track Child website
28. Source of the income to maintain the Child Care Institution
29. Other facilities
  - i) Medical facilities
  - ii) Other social activities run by the institution
30. Linkage with other institutions (Details)

Minimum of 40 Sq.ft of floor area of dormitory for each child, one bathroom for ten children and one toilet for seven children are mandatory.

I declare that the facts mentioned above is absolutely true to the best of my knowledge.

Place:

Date & Seal:

**Signature of the Applicant**

**Form XXIV****[See rule 33(1) (i)]****ACKNOWLEDGEMENT/RECEIPT OF APPLICATION FOR REGISTRATION OF CHILD CARE INSTITUTION**

Name and address of the applicant NGO :

Name and address of CCI :

District :

Application for registration of Child Care Institution from the above mentioned organization is received in the O/o -----  
----- on----- (date).**Signature :****Designation :****Seal:**

## Form XXV

[See rule 33 (2)]

**CERTIFICATE OF REGISTRATION**

Name and Address of Certificate Issuing Authority/Department

**CERTIFICATE OF REGISTRATION**

No.

Dt.

This certificate of Registration is awarded to -----as an institution for children in need of care and protection vide **S.No. / DSD/** under section 41(1) of the Juvenile Justice (Care and Protection of Children) Act, 2015. **This certificate of registration is valid for ..... from the date of issue and is subject to the following conditions:-**

1. The Management should run the institution in accordance with Juvenile Justice (Care and Protection of Children) Act, 2015
2. Based on the infrastructure available at present, the institution shall **admit a maximum of ..... children** only.
3. This certificate should be displayed prominently for the information of parents/general public in the office room.
4. The following words may be mentioned in the name board of the Institution. -----**is registered by the State Government under Juvenile Justice (Care and Protection of Children) Act 2015.**
5. The services to the children shall be provided by the institutions registered under the Act as per section 53 of Juvenile Justice (Care and Protection of Children) Act, 2015.
6. The institution shall have a Management Committee in accordance with these Rules to manage the institution and monitor the progress of every child.
7. Institution should follow rules / regulations issued by State Government / Director/Commissioner of Social Defence from time to time.
8. The Institution is subject to inspection by the inspection authorities under the Act and by the persons / officers authorized by the State Government / District Child Protection Society / Child Welfare Committee.
9. Orders should be obtained from Child Welfare Committees for all admissions and discharge.
10. Any admission / death / repatriation of the children in the institution and any discharge of children from the institution should be intimated to the concerned District Child Protection Officer and Child Welfare Committee in accordance with Tamil Nadu Juvenile Justice (Care and Protection of Children) Rules, 2017.
11. The registration certificate is valid for the period mentioned therein and is subject to the condition that all the required certificates / NOC are renewed in time before expiry and a copy has to be furnished to the District Child Protection Officer of concerned District and to the Directorate of Social Defence.
12. The Institution should provide proper infra-structure facilities including sufficient accommodation to children.
13. To ensure proper education, child rights and necessary safeguards from child abuses.
14. To provide health facilities, toilet facilities and bathroom facilities.
15. To ensure water and sanitation and also safe drinking water.
16. Sufficient supervisory and sub – staff should be appointed.
17. To maintain the kitchen in a hygienic manner.
18. To follow daily menu chart and ensure both quality and quantity in diet.
19. To arrange recreation and motivation activities.
20. Necessary fire safety facilities should be installed.
21. Rain Water harvesting facilities should be made in the Institution.
22. The Institution should not have any Thatched structure.
23. Required number of firefighting equipment should be installed and personnel also should be trained in handling them.

The registration shall be subjected to the conditions laid down in the Juvenile Justice (Care and Protection of Children) Act, 2015 and the Rules made thereunder. The institution should comply with Rules / Regulations / Instructions issued by the State Government / Director of Social Defence from time to time.

Dated this.....day of.....20

**Signature and Seal of the Authority**

## FORM XXVI

[See rule 51 (2)]

## APPLICATION FOR SURRENDER OF CHILD BEFORE CHILD WELFARE COMMITTEE

Name of the Child :  
 Date of Birth / Age :  
 Sex :  
 Place of Birth :  
 Name of the Father :  
 Name of the Mother :  
 Details of Siblings :  
 Medical History of the Child :  
 Medical History of the Parents :

I ----- S/o-----aged ----- residing at-----being -----  
 (relationship with the child) of the child whose particulars are furnished above, unable to provide proper care to the said child due to reasons ----- (to be mentioned). Hence, I hereby submit the application for surrendering the said child to the Child Welfare Committee----- and I am fully aware of the consequences of surrendering the child and willing to execute the surrender deed as per law. I shall have no objection if the child is given in adoption.

Encl

1. Birth Certificate
2. Child Health Records
3. Proof of Identity of Parents

**Signature of the Applicant**

Name and Address :-

To  
 The Child Welfare Committee,  
 Dist.....

## FORM XXVII

[See rule 51(2)]

## DEED OF SURRENDER

## Declaration by person surrendering the child or children

Case No.....

I/We, the undersigned.....Family name / First name(s).....residing at, surrender the child (named).....aged.....  
having date of birth.....for the reason:.....

- (i) I/we are surrendering my/our child or children on our own and without any coercion, compulsion, threat, payment, consideration, compensation of any kind;
- (ii) I/we have been counselled and informed about the implication that I/we can withdraw our consent until 60<sup>th</sup> day of this surrender deed after which my/our consent will be irrevocable and I/we shall have no claim over the child or children.
- (iii) I/we have been made aware of the implications of surrender and are conscious of the fact that after the 60<sup>th</sup> day from date of the surrender deed, the legal parent-child relationship between my/our child or children and me/us will be terminated.
- (iv) I/we understand that my/our child may be adopted by person(s) residing in India or abroad and give my/our consent for this purpose.
- (v) I/we understand that the adoption of my/our child will create a permanent parent-child relationship with the adoptive parent(s) and then cannot claim back the child.
- (vi) I/we wish/ do not wish (please tick whichever is applicable) my/our identity and address to be disclosed to my/our child when he/she returns for root search.
- (vii) I/we declare that I/we have read the above statements carefully and have fully understood the same.

Done at ..... on .....

**[Signature or Thumb  
Impression of surrendering person(s)]**

## Declaration by Witnesses

We the undersigned have witnessed the above surrender.

Signature, Name and Address of the first witness

.....

Signature, Name and Address of the second witness

.....

## 3. Certification of child welfare committee

We hereby certify that the person and the witness(es) named or identified above appeared before me this date and signed this document in our presence.

Done at ..... on.....

**Signature & Seal of Members/ Chairperson**

**Child Welfare Committee**

## Form XXVIII

[See rule 53(6)]

**ORDER OF SPONSORSHIP PLACEMENT**

The child \_\_\_\_\_ approximate age \_\_\_\_\_ D/o or S/o Mr. \_\_\_\_\_  
\_\_\_\_\_ and Mrs. \_\_\_\_\_ or Ms. \_\_\_\_\_  
residing at (address) \_\_\_\_\_ being found in Reference No. \_\_\_\_\_  
\_\_\_\_\_ has been identified by the State / District Child Protection Unit as a child in need of care and protection and support under the sponsorship programme.

On the basis of the Inquiry Report submitted by the State Child Protection Society / District Child Protection Unit / Child Welfare Officer / Social Worker / Probation Officer it is established that the said child needs sponsorship support for education/ health/nutrition/ other developmental needs \_\_\_\_\_ (please specify).

The State Child Protection Society / District Child Protection Unit is requested to explore the possibility of sponsorship for the need of child.

**Principal Magistrate, Juvenile Justice Board/Children's court  
Chairperson/Member, Child Welfare Committee**

**Copy to:  
State Child Protection Society /District Child Protection Unit or  
Concerned Department of the State Government**

## FORM XXIX

[See rule 55(7)]

**HOME STUDY REPORT FOR PROSPECTIVE FOSTER PARENTS**

DATE OF REGISTRATION -  
 AADHAR CARD No. of Prospective Foster Parent : -  
 NAME OF THE SOCIAL WORKER -  
 DATE OF HOME VISIT -

**Part-I** of the format shall be filled up by the prospective foster parents and Part-II of the template shall be filled up by the Social Worker to submit an assessment report along with his/her observation about suitability of the prospective adoptive / foster parents.

**PART-I : SELF ASSESSMENT****A. Information about the prospective foster parents and their family background**

Particulars of the foster parents	
Full Name	
Date of birth & age	
Place of birth	
Complete Address with e-mail ID (Present & Permanent Address)	
Identity Proof	
Religion	
Language(s)	
Date of Marriage	
Present Educational Qualification	
Employment/occupation	
Name & Address of the present Employer/Business concern	
Annual Income	
Health Status	

**B. Family background information:**

(1) Give a short description of social status and background of the prospective foster parents along with the following information:-

Details about Parents of the Applicants		
	Father	Mother
Name in full		
Age		
Nationality/Citizenship		
Occupation		
Previous occupation		
Presently residing with		

- (2) Please complete the following table with the names of each of your respective children (adopted and biological), their sex, educational status (kindergarten, elementary, etc.) and dates of birth.

Name of the Child	Sex	Date of Birth	Educational Status

- (3) If there are other members residing, please furnish the following information in respect of them.

Name	Nature of Relationship	Age	Gender	Occupation

- (4) Please describe how you believe the foster care would affect the family members (grand parents, children, relatives and others).

**C. Professional/Employment Details (Professional career details for last 5 years):**

Foster Father				
Organisation	Employer Details (Name & Address)	Job Title	From	To

Foster Father				
Organisation	Employer Details (Name & Address)	Job Title	From	To

- D. Financial Position:** (Give a short description of your income from all sources such as savings, investments, expenditures and liabilities and debts along with supporting documents) .....

**E. Description of Home and Neighbourhood:** (Describe the accommodation details and neighbourhood relationship)

- (1) How many rooms do you have in your home and describe the play area available for the child.....
- (2) Please describe the neighbourhood in which you reside, including any aspect that you believe makes it child-friendly.....

**F. Attitude and Motivation for foster care:**

- (1) Please circle the term which best describes the reason why you wish to take a child in foster care, you may circle more than one option, if applicable:

Provide a companion to your other children;

Provide a child with a happy home;

Others, please specify .....

(2) Please circle the statement which describes how you think the foster care arrangement will improve the lives of your other children, you may circle more than one, if applicable:

They will be less lonely;

They will learn to be more accommodating;

They will become more empathetic;

Not applicable as I have no other children;

Others, please specify \_\_\_\_\_

**G. Attitude of grandparents/extended family members, other relatives and significant others towards the foster care:**

(Give a short description about the opinion of other important persons towards foster care who would have impact in the child rearing process).....

**H. Anticipated Plans of the prospective foster parents for the child and rearing in the Family:**

- (1) Please describe how you will manage caring for the child and other life commitments such as work
- (2) Who will be responsible for caring for the child when you are at work, or absent from the familial home (domestic help, grandparents, spouse).
- (3) Please describe your disciplinary approach to parenting.
- (4) In case the foster child demonstrates adjustment difficulties, please describe the steps that you plan to take to ease his/her transition into the family?
- (5) Would you be prepared to utilize family counselling if the child continues to have difficulties in adjusting?
  - (a) Yes
  - (b) No
- (6) Would you be willing to support financially higher professional studies of the foster child
  - (a) Yes
  - (b) No

**I. Preparation and Training:** (Give details about the counselling sessions the prospective foster parent(s) have undergone on foster care, child care, handling of needs of children, etc. and their capacity, training and/or experiences in parenting children with their special need, if any)

**J. Health Status (Emotional and Physical):** (Give details of the state of emotional and physical health status of the applicant(s), if any. If a family member suffers from a particular disease, condition or syndrome, describe how the family copes with it and how this might affect any proposed foster care)

- (1) Do you or your spouse suffer from any medical condition? If so, would you please provide details?
- (2) Are you or your spouse currently being treated by a psychologist or psychiatrist?
- (3) Are you currently taking any prescribed medication?
- (4) Are there currently any children in your house being treated for a medical condition?
- (5) Does your family have health and hospitalization insurance coverage for all family members?

**Signature of the Prospective Foster Parents**

**Date**

**PART-II: ASSESSMENT REPORT OF THE SOCIAL WORKER**

(To be used by the Social Worker to prepare the assessment report)

(The information/facts filled in the template shall be kept confidential by the agencies /authorities.)

**1. Factual Assessment**

(i) Have you verified the contents of the facts mentioned in Part I of the template?

Yes/No

(ii) Are you satisfied about the facts mentioned in the documents vis-à-vis observation during interviews and visits?

Yes/No

**2. Psycho-social Assessment****2.1 Interaction with the prospective foster parents**

(i) Have you interacted with the prospective foster parents individually and jointly?

(ii) Are the prospective foster parents well prepared for fostering the child?

**2.2 Home visit findings**

(i) When did you visit the home of the prospective foster parents? Who were the members present during your visit?

(ii) Whom did you interact during the home visit?

(iii) Have you met any neighbour/relative? Give a detailed description about the interaction?

(iv) Whether the home environment is conducive for the child?

(v) Are the prospective foster parents well prepared for foster care?

(vi) Did the prospective foster parents have any doubt about parenting issues or any other issues? Have you cleared their doubts?

**2.3. Interaction with the family members**

(i) Have you interacted with other family members of the prospective foster parents? What is their opinion about the proposed foster care? Are they positive about the foster care arrangement?

(ii) Are there any other family member(s) whom you could not interact but they might have a larger role in the proposed foster care? If so, how did you interact? Would you plan to take their views?

(iii) Have you interacted with older children present in the home of the prospective foster parents? If yes, please give details.

(iv) Have you noticed any adverse remarks from the family members? If so, how far those remarks may have an impact on the foster care process?

**2.4. Financial capacity**

(i) What is your opinion about the financial status of the prospective foster parents? Are they financially sound to welcome another member into their family?

(ii) Have you observed any financial situation which is hidden in the template?

(iii) Would you recommend any financial assistance to them?

**2.5. Physical and emotional capacity**

(i) Are the prospective foster parents in a good physical and emotional state to take care of a child?

(ii) Have you observed any physical or psychological issues with the prospective foster parents or any other family members that is going to affect the life of the upcoming child? If so, give details.

(iii) Are the prospective foster parents emotionally equipped enough to take care of a child?

**3. Recommendation for Foster care****3.1.** Do you recommend the prospective foster parents for foster care? Put your views and rational for recommending the prospective foster parents for foster care.**3.2.** In case, you do not recommend the prospective foster parents for foster care, cite appropriate reasons for taking such decision.**Signature, name, designation and official seal**

**FORM XXX***[See rule 58(5)]*

## ORDER OF FOSTER CARE PLACEMENT WITH A FAMILY

OR

**GROUP FOSTER CARE**

The child (name and address) ..... approximate age ..... d/o or s/o Mr. .... and Mrs. .... is in need of care and protection of a family. Mr. .... and Mrs. .... resident of (complete address and contact numbers)

..... are declared fit for foster-care placement of the child after considering the Individual Care Plan, Child Study Report and Home Study Report.

OR

Child Care Institution (Name and address) ..... is declared fit for foster-care placement of the child after considering the Individual Care Plan and Child Study Report.

The child (name) ..... is placed in foster care for a period of ..... under the supervision of the aforesaid Child Welfare Officer/Social Worker (name and contact) .....

**Chairperson/ Member  
Child Welfare Committee**

**FORM XXXI***[See rule 59(1)]*

## UNDERTAKING BY THE FOSTER FAMILY/GROUP FOSTER CARE ORGANISATION

I/We ..... resident(s) of House No ..... Street ..... Village / Town ..... District ..... State ..... care giver associated with foster care home run by ----- organization at ..... (address), do hereby declare that I/we am/are willing to take charge of (name of the child ..... aged ..... under the orders of the Child Welfare Committee ..... subject to the following terms and conditions:

- (1) If the conduct of the child is unsatisfactory I/we shall at once inform the Committee
- (2) I/We shall do my/our best for the welfare and education of the said child as long as he remains in my charge and shall make proper provision for his maintenance.
- (3) In the event of his illness, he shall have proper medical attention in the nearest hospital and a report of it followed by a fitness certificate shall be submitted before the Committee.
- (4) I/We shall inform the Committee about any change of address.
- (5) I/We shall do my best to ensure that the child will not be subjected to any form of abuse.
- (6) I/We agree to adhere to the conditions laid by the Committee.

- (7) I/We undertake to produce him before the Committee as and when required.
- (8) I/We undertake to inform the Committee immediately if the child goes out of my charge or control.

Dated this .....day of .....20

**Signature and address of 2 witnesses**

**Signature of Applicant(s)**

**(Signed before me)**

Chairperson/Member,  
Child Welfare Committee

K. MANIVASAN,  
*Principal Secretary to Government.*