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കേരള ഗസറ്റ്
KERALA GAZETTE

അസാധാരണ
EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
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GOVERNMENT OF KERALA

Social Justice (A) Department

NOTIFICATION

G O. (P) No. 50/2014/SJD. *Dated, Thiruvananthapuram 9th June, 2014.*

S. R. O. No. 378/2014. In exercise of the powers conferred by Section 68 of the Juvenile Justice (Care and Protection of Children) Act, 2000 (Central Act 56 of 2000) and in supersession of the Kerala Juvenile Justice (Care and Protection of Children) Rules, 2003 the Government of Kerala hereby make the following rules, namely:

33/2687/2014.

THE KERALA JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) RULES, 2014

CHAPTER I

PRELIMINARY

1. *Short title and commencement.* (1) These rules may be called the Kerala Juvenile Justice (Care and Protection of Children) Rules, 2014.

(2) They shall come into force at once.

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

(a) *abandoned child*, means an unaccompanied and deserted child who is declared abandoned by the Committee after due inquiry;

(b) *Act* means the Juvenile Justice (Care and Protection of Children) Act, 2000 (Central Act 56 of 2000), as amended by the Juvenile Justice (Care and Protection of Children) Amendment Act, 2006 (33 of 2006);

(c) *best interest of the child* means a decision taken to ensure the physical, emotional, intellectual, social and moral development of juvenile or child;

(d) *care taker*, means a person employed to cater to the developmental and participatory needs of a juvenile or (child) and includes a house father or house mother under which name it is known;

(e) *child friendly* means any process and interpretation, attitude, environment and treatment, that is humane, considerate and in the best interest of the child;

(f) *child welfare officer* means a person having knowledge and experience or training in child psychology or child welfare and designated as such or by any equivalent term in a Police Station for dealing with the juvenile in conflict with law and child in need of care and protection;

(g) *community service* implies service rendered to the society by juveniles in conflict with law in lieu of other judicial remedies and penalties, which is not degrading and dehumanizing. Examples of this may include:

(i) cleaning a park, market or setting up of a park;

(ii) getting involved with the experiential soft skill development workshops by reputed voluntary organizations, nature camps by Social Forestry, trekking, community camps formation of Self Help Groups etc.

- (iii) serving the elderly in nursing homes or old age homes;
- (iv) helping out Government departments like police, fire force, forest, agriculture and fisheries;
- (v) helping out at a local hospital or nursing home; and
- (vi) serving disabled children;

(h) 'detention' in case of juveniles in conflict with law means 'protective custody' in line with the principles of restorative justice;

(i) 'Form' means the form annexed to these rules;

(j) 'Government' means the Government of Kerala;

(k) 'individual care plan' is a comprehensive development plan for a juvenile or child based on age specific and genderspecific needs and the case history of the juvenile or child, prepared in consultation with the juvenile or child, in order to restore the juvenile's or child's self-esteem, dignity and self worth and nurture him into a responsible citizen up to the age of eighteen or beyond, with the participation of biological parents, if available, and accordingly the plan shall address the following needs of a juvenile or a child namely:

- (i) health needs;
- (ii) emotional and psychological needs;
- (iii) educational and training needs;
- (iv) leisure, creativity and play;
- (v) attachments and relationships;
- (vi) protection from all kinds of abuse, neglect and maltreatment;
- (vii) social mainstreaming;
- (viii) follow-up post release and restoration;
- (ix) rehabilitation of the differently abled and mentally challenged;
- (x) psycho-social rehabilitation programme for sexually abused children; and
- (xi) de-addiction or de-toxification treatment plan in relevant case;

(l) 'institution' means an observation home, or a special home, or a children's home or a shelter home set up, certified or recognized and registered under Sections 8, 9, 34, sub-section (3) of section 34 and section 37 of the Act respectively;

(m) 'Officer-in-charge or Superintendent' means a person appointed for the control and management of the institution;

(n) 'orphan' means a child who is without parents or not having willing and capable legal or natural guardian;

(o) 'recognition and certification' means grant of recognition and/or certification by the Government for institutions or agencies run by the Government or voluntary organisations to operate as an observation home, special home, children's home, shelter home, specialised adoption agency or after care organization under sub-section (2) of section 8, sub-section (2) of section 9, sub-section (2) of section 34, sub-section (1) of section 37, sub-section (4) of section 41 and clause (a) of section 44 of the Acts;

(p) 'registered institutions' means all institutions run by State Government or those run by voluntary organisations for children in need of care and protection registered under sub-section (3) of section 34 of the Act;

(q) 'social worker' means a person professionally qualified having knowledge and experience in child welfare and rehabilitation of children;

(r) 'Specialised Adoption Agency' means an adoption agency recognised by the State Government as provided under sub-section (4) of section 41 of the Act;

(s) 'State' means the State of Kerala;

(t) 'street and working children' means children without ostensible means of livelihood, care, protection and support in accordance with the provisions laid down under sub clauses (i) and (ia) of clause (d) of section 2 of the Act;

(u) 'surrendered child' means a child, surrendered on account of physical, emotional and social factors beyond the control of the parent or legal guardian by the parent or legal guardian to a Specialised Adoption Agency by execution of a surrender deed;

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

CHAPTER II

FUNDAMENTAL PRINCIPLES OF JUVENILE JUSTICE AND
PROTECTION OF CHILDREN

3. *Fundamental principles to be followed in administration of these rules.* (1) The Government, the Court, the Juvenile Justice Board, the Child Welfare Committee or other competent authorities or agencies, as the case may be, while implementing the provisions of these rules shall abide and be guided by the principles, specified in sub-rule (2).

(1) The following principles shall, inter-alia, be fundamental to the application, interpretation and implementation of the Act and the rules made hereunder:

I. Principle of presumption of innocence:

- (a) a child in need of care and protection or a juvenile in conflict with law is presumed to be innocent of any malafide or criminal intent up to the age of eighteen years.
- (b) the right to presumption of innocence of a child in need of care and protection or juvenile in conflict with law shall be respected throughout the process of justice and protection, from the initial contact to alternative care, including aftercare.
- (c) any unlawful conduct of a juvenile or a child or a juvenile in conflict with law which is done for survival, or is due to environmental or situational factors or is done under control of adults, or peer groups, is ought to be covered by the principles of innocence.
- (d) The basic components of presumption of innocence are:
 - (i) Age of innocence: Age of innocence is the age below which a juvenile or child or a juvenile in conflict with law cannot be subjected to the criminal justice system. The United Nations Standard Minimum Rules for Administration of Juvenile Justice, 1985 (Beijing Rules) Article 4(1) clearly lays down that the beginning of the age of criminal responsibility shall not be fixed at too low an age level bearing in mind the facts of mental and intellectual maturity. In consonance with this principle, the mental and intellectual maturity of juvenile or child or a juvenile in conflict with law below eighteen years is considered insufficient throughout the world.

- (ii) Procedural protection of innocence: All procedural safeguards that are guaranteed by the Constitution and other statutes to the adults and that go in to strengthen the juvenile's or child's right to presumption of innocence shall be guaranteed to juveniles or the children or juveniles in conflict with law.
- (iii) Provisions of Legal aid and Guardian Ad Litem: Juveniles in conflict with law have a right to be informed about the accusations against them and a right to be legally represented. Provisions must be made for guardian *ad litem*, legal aid and other such assistance through legal services at State expense. This shall also include such juvenile's right to present his case before the competent authority on his own.

II. Principle of dignity and worth:

- (a) Treatment that is consistent with the child's sense of dignity and worth is a fundamental principle of juvenile justice. This principle reflects the fundamental human right enshrined in Article 1 of the Universal Declaration of Human Rights that all human beings are born free and equal in dignity and rights. Respect of dignity includes not being humiliated, personal identity, boundaries and space being respected, not being labelled and stigmatized, being offered information and choices and not being blamed for their acts.
- (b) The juvenile's or child's right to dignity and worth has to be respected and protected throughout the entire process of dealing with the child from the first contact with law enforcement agencies to the implementation of all measures for dealing with the child.

III. Principle of right to be heard:

Every child's right to express his views freely in all matters affecting his interest shall be fully respected through every stage in the process of juvenile justice. Children's right to be heard shall include creation of developmentally appropriate tools and processes of interacting with the child, promoting children's active involvement in decisions regarding their own lives and providing opportunities for discussion and debate.

IV. Principle of Best Interest:

- (a) In all decisions taken within the context of administration of juvenile justice, the principle of best interest of the juvenile or the juvenile in conflict with law or child shall be the primary consideration.
- (b) The principle of best interest of the juvenile or juvenile in conflict with law or child shall mean for instance that the traditional objectives of criminal justice, retribution and repression, must give way to rehabilitative and restorative objectives of juvenile justice.
- (c) This principle seeks to ensure physical, emotional, intellectual, social and moral development of a juvenile in conflict with law or child so as to ensure the safety, wellbeing and permanence for each child and thus enable each child to survive and reach his or her full potential.

V. Principle of family responsibility:

- (a) The primary responsibility of bringing up children, providing care, support and protection shall be with the biological parents. However, in exceptional situations, this responsibility may be bestowed on willing adoptive or foster parents.
- (b) All decision making for the child should involve the family of origin unless it is not in the best interest of the child to do so.
- (c) The family-biological, adoptive or foster (in that order), must be held responsible and provide necessary care, support and protection to the juvenile or child under their care and custody under the Act, unless the best interest measures of mandates dictate otherwise.

VI. Principle of Safety (no harm, no abuse, no neglect, no exploitation and no maltreatment):

- (a) At all stages, from the initial contact till such time he remains in contact with the care and protection system, and thereafter, the juvenile or child or juvenile in conflict with law shall not be subjected to any harm, abuse, neglect, maltreatment, corporal punishment or solitary or otherwise any confinement in jails and extreme care shall be taken to avoid any harm to the sensitivity of the juvenile or the child.

- (b) The State has a great responsibility for ensuring safety of every child in its care and protection, without resorting to restrictive measures and processes in the name of care and protection.

VII. Positive measures:

- (a) Provisions must be made to enable positive measures that involve the full mobilization of all possible resources, including the family, volunteers and other community groups, as well as schools and other mainstream community institutions or processes, for the purpose of promoting the well-being of the juvenile or child through individual care plans carefully worked out.
- (b) The positive measures shall aim at reducing vulnerabilities and reducing the need for intervention under the law, as well as effective, fair and humane dealing of the juvenile or child.
- (c) The positive measure shall include avenues for health, education, relationships, livelihoods, leisure, creativity and play.
- (d) Such positive measures must facilitate the development of identity for the child and provide them with an inclusive and enabling environment.

VIII. Principle of non-stigmatizing semantics, decisions and actions:

The non-stigmatizing semantics of the Act must be strictly adhered to, and the use of adversarial or accusatory words, such as, arrest, remand, accused, charge sheet, trial, prosecution, warrant, summons, conviction, inmate, delinquent, neglected, custody or jail is prohibited in the processes pertaining to the child or juvenile in conflict with law under the Act.

IX. Principle of non-waiver of rights:

- (a) Non-waiver of rights of the child or juvenile in conflict with law, whether by himself or the competent authority or anyone acting or claiming to act on behalf of the juvenile or child, is either permissible or valid.
- (b) Non-exercise of a fundamental right does not amount to waiver.

X. Principle of equality and non-discrimination:

- (a) There shall be no discrimination against a child or juvenile in conflict with law on the basis of age, sex, place of birth, disability, health, status, race, ethnicity, religion, caste, cultural practices, work, activity or behaviour of the juvenile or child or that of his parents or guardians, or the civil and political status of the juvenile or child.
- (b) Equality of access, equality of opportunity, equality in treatment under the Act shall be guaranteed to every child or juvenile in conflict with law.

XI. Principle of right to privacy and confidentiality:

The juvenile's or child's right to privacy and confidentiality shall be protected by all means and through all the stages of the proceedings and care and protection processes.

XII. Principle of last resort:

Institutionalization of a child or juvenile in conflict with law shall be a step of the last resort after reasonable inquiry and that too for the minimum possible duration.

XIII. Principle of repatriation and restoration:

- (a) Every juvenile or child or juvenile in conflict with law has the right to be re-united with his family and restored back to the same socio-economic and cultural status that such juvenile or child enjoyed before coming within the purview of the Act or becoming vulnerable to any form of neglect, abuse or exploitation.
- (b) Any juvenile or child, who has lost contact with his family, shall be eligible for protection under the Act and shall be repatriated and restored, at the earliest, to his family, unless such repatriation and restoration is likely to be against the best interest of the juvenile or the child.

XIV. Principle of Fresh Start:

- (a) The principle of fresh start promotes new beginning for the child or juvenile in conflict with law by ensuring erasure of his past records.
- (b) The State shall seek to promote measures for dealing with children alleged or recognized as having impinged the penal law, without resorting to judicial proceedings.

CHAPTER III

JUVENILE IN CONFLICT WITH LAW

4. *Juvenile Justice Boards.* There shall be one or more Juvenile Justice Boards in every district, which shall be constituted by the Government as per section 4 of the Act.

5. *Composition of the Juvenile Justice Board.* (1) The Board shall consist of a Judicial Magistrate of the First Class designated as Principal Magistrate and two Social Workers as members of whom at least one shall be a woman, forming a Bench:

Provided that the Principal Magistrate of the Board shall review the pendency of cases before the Board and take such steps, as may be necessary in the expeditious disposal of the cases.

(2) Every such Bench shall have the powers conferred by the Code of Criminal Procedure 1973 (Central Act 2 of 1974).

(3) A Judicial Magistrate of First Class, preferably a woman, with special knowledge or training in child psychology or child welfare shall be designated as the Principal Magistrate of the Board by the Government in consultation with the High Court of Kerala.

(4) In case the Principal Magistrate with such special knowledge or training is not available, then, the State Government shall provide for such short-term training in child psychology or child welfare as it considers necessary.

(5) The two social workers, of whom at least one shall be a woman, shall be appointed by the State Government on the recommendation of the Search/Selection Committee set up under these rules.

(6) The Government shall provide for such training and orientation in child psychology, child welfare, child rights, national and international standards for juvenile justice to all members of the Board as it considers necessary.

6. *Tenure of the Board.* (1) The Board shall have a tenure of three years or till a new Board is constituted and the appointment of members shall be co-terminus with the tenure of the Board.

(2) A social worker being a member of the Board shall be eligible for appointment for a maximum of two consecutive terms.

(3) The tenure of members of the Board shall be extended for the second term only on the recommendation of a Search/Selection Committee constituted for the purpose and based on the performance appraisal of members of the Board done as laid down by Government, and after necessarily assessing their participation in the proceedings of the Board and contribution in case disposal.

(4) A member may resign at any time, by giving three months advance notice in writing or may be removed from his office as provided in sub-section (5) of section 4 of the Act.

(5) Any vacancy in the Board may be filled by appointment of another person from the panel of names prepared by the Search/Selection Committee, and shall hold office for the remaining term of the Board.

7. *Qualifications for members of the Board.* (1) The social worker to be appointed as a member of the Board shall be a person not less than 35 years of age and not more than 70 years of age, who has a post-graduate degree in social sciences or degree in health or education, experience in the field of health, education, child development or correctional services and has been actively involved and engaged in planning, implementing and administering measures relating to child welfare for at least seven years.

(2) No person shall be considered for selection as a member of the Board, if he,ó

- (a) has been convicted under any law involving moral turpitude;
- (b) have ever indulged in child abuse or employment of child labour or any other human rights violations or immoral act;
- (c) is holding such other occupation that does not allow him to give necessary time and attention to the work of the Board.;
- (d) does not fulfil the qualification and experience prescribed in the Act and the rules made there under and in such a case the Search/Selection Committee shall after due inquiry and on establishment of such fact, reject his application and recommend the name of the next person from the list of names prepared for filling the vacancies.

(3) No person shall be considered for selection as a member of the Board, unless he swears an affidavit to the effect that he has satisfied the conditions in rule 7 (2) (a) to (c).

8. *Sitting travelling and conveyance allowances.* (1) A member other than the Principal Magistrate of the Board shall be paid such travelling and sitting allowances, as the Government may determine from time to time, but it shall not be less than Rupees Thousand per sitting, plus conveyance allowance equivalent to a Class I officer of the Government.

(2) The Principal Magistrates and members shall be eligible for travelling and daily allowances as are admissible to a Class-I officer of the Government for their inspection visits to observation homes or special homes and attending official duties.

(3) There shall be no ceiling for claiming amount towards travelling and daily allowance for journeys performed for attending the official duties of the Board.

9. *Sittings of the Board.* (1) The Board shall hold its sittings in the premises of an Observation Home or, at a suitable premise in any institution run under the Department of Social Justice and in no circumstances shall the Board operate from within any Court premises.

(2) The premises where the Board holds its sittings shall be child-friendly and shall not look like a Court room in any manner whatsoever; for example, the Board shall not sit on a raised platform and the sitting arrangement shall be uniform, and there shall be no witness boxes.

(3) The Board shall normally meet at least once in a week. The frequency of sitting may be increased by the Principal Magistrate in consultation with members with a view to dispose the cases within 4 months of its filing. The date and time of the sitting of the Board shall be exhibited prominently in the notice board of Court of the Principal Magistrate and Juvenile Justice Board. A minutes book showing the start of the meeting, members present and closing of the meeting and the brief details of the cases handled shall be maintained. A separate attendance register shall be maintained.

(4) A minimum of three-fourth attendance of the members of the Board is necessary in a year.

(5) Every member of the Board shall attend a minimum of three hours per sitting.

10. *Functions of the Board.* (1) The Board shall perform the following functions to achieve the objectives of the Act, namely:

(a) adjudicate and dispose of the cases of juveniles in conflict with law ;

(b) take cognizance of crimes committed under sections 23 to 28 of the Act ;

(c) monitoring institutions for juveniles in conflict with law and seeking compliance from them in cases of any noticeable lapses and improvement based on suggestions of the Board;

(d) deal with non-compliance on the part of Government functionaries concerned or functionaries of voluntary organizations, as the case may be, in accordance with due process of law;

(e) maintain liaison with the Committee in respect of cases needing care and protection;

(f) maintain liaison with Boards in other Districts to facilitate speedy inquiry and disposal of cases through due process of law;

(g) take suitable action through the State or District authority for dealing with unforeseen situations that may arise in the implementation of the Act and remove such difficulties in the best interest of the juvenile;

(h) send quarterly information about juveniles in conflict with law produced before them in Form- XXXIII to the District and State Child Protection Units, the State Government and also to the Chief Judicial Magistrate for review of pendency of the cases of the Board; and

(i) any other function assigned by the Government through the High Court from time to time relating with juveniles in conflict with law.

11. *Inspection and evaluation.* The Principal Sessions Judge shall inspect and evaluate the functioning of the Board at least once in a year and submit an annual evaluation report to the High Court with a copy to the Director of Social Justice and Government.

12. *Pre-production action of the police and other agencies.* (1) As soon as a juvenile alleged to be in conflict with law is apprehended by the police, the police officer concerned shall inform:

(a) the designated Juvenile or the Child Welfare Officer in the nearest Police Station to take charge of the matter;

(b) the parents or guardian of the juvenile alleged to be in conflict with law about the apprehension of the juvenile, about the address of the Board where the juvenile will be produced and the date and time when the parents or guardian need to be present before the Board; and

- (c) the Probation Officer concerned, of such apprehension to enable him to obtain information regarding social background of the juvenile and other material circumstances likely to be of assistance to the Board for conducting the inquiry.

(2) Soon after apprehension, the juvenile shall be placed under the charge of the Juvenile or Child Welfare Officer from the nearest police station, who shall produce the juvenile before the Board within twenty four hours as per sub-section (1) of section 10 of the Act and where such Juvenile or the Child Welfare Officer has not been designated as per the provisions laid down under sub-section (2) of section 63 of the Act or is not available for some official reasons, the police officer who had apprehended the juvenile shall produce him before the Board.

(3) The police apprehending a juvenile in conflict with law shall in no case send the juvenile in lock-up or delay his charge being transferred to the Juvenile or the Child Welfare Officer from the nearest police station, if such an officer has been designated.

(4) A list of all designated Juvenile or the Child Welfare Officers in a district and members of Special Juvenile Police Unit with contact details shall be prominently displayed in every Police Station.

(5) For gathering the best available information it shall be incumbent upon the Police or the Juvenile or the Child Welfare Officer from the nearest Police Station, to contact the parents or guardians of the juvenile and also apprise them of the juvenile's law breaking behaviour.

(6) The Police or the Juvenile or the Child Welfare Officer from the Police Station concerned, shall also record the social background of the juvenile and circumstances of apprehension and offence alleged to have been committed in the Case Diary of each juvenile, which shall be forwarded to the Board forthwith

(7) The Police or the Juvenile or the Child Welfare Officer from the nearest Police Station, shall exercise the power of apprehending the juvenile only in cases of his alleged involvement in serious offences (offences entailing a punishment of more than 7 years imprisonment for adults) and offences under sections 379 and 383 of the Indian Penal Code, 1860.

(8) In such cases where apprehension apparently seems to be in the interest of the Juvenile, the Police or the Juvenile or the Child Welfare Officer from the nearest Police Station, shall rather treat the juvenile as a child in need of care and protection with decency and dignity; and produce him before the Board, clearly explaining the juvenile's need for care and protection in its report and seek appropriate orders from the Board under clause (b) of sub-rule (2) of rule 13 of these rules.

(9) For all other cases involving offences of non-serious nature entailing a punishment of less than seven years imprisonment for adults other than offences under section 379 and 383 of the Indian Penal Code 1860 and cases where apprehension is not necessary in the interest of the juvenile, the police or the Juvenile or the Child Welfare Officer from the nearest Police Station, shall intimate the parents or guardian of the juvenile about forwarding the information regarding nature of offence alleged to be committed by their child or ward along with his socio-economic background to the Board, which shall have the power to call the juvenile for subsequent hearings.

(10) In case the Board is not sitting, the juvenile in conflict with law shall be produced before the single member of the Board as per the provisions laid down under the sub-section (2) of section 5 of the Act.

(11) In dealing with cases of juveniles in conflict with law, the Police or the Juvenile or the Child Welfare Officer from the nearest Police Station, shall not be required to register an FIR or file a charge-sheet, except where the offence alleged to have been committed by the juvenile is of a serious nature such as rape, murder or when such offence is alleged to have been committed jointly with adults; instead, in matters involving simple offences, the Police or the Juvenile or the Child Welfare Officer from the nearest police station shall record information regarding the offence alleged to have been committed by the juvenile in the General Diary followed by a report containing socio-economic background of the juvenile and the circumstances of apprehension, the alleged offence and forward it to the Board before the first hearing.

(12) The Government shall recognize only such voluntary organizations that are in a position to provide the services of probation, counselling, case work, a safe place and also associate with the Police or the Juvenile or the Child Welfare Officer from the Special Juvenile Police Unit, and have the capacity, facilities and expertise to do so as protection agencies that may assist the Police or the Juvenile or the Child Welfare Officer from the police at the time of apprehension, in preparation of the report containing socio-economic background of the juvenile and circumstances of apprehension and the alleged offence, in taking charge of the juvenile until production before the Board, and in actual production of the juvenile before the Board within twenty-four hours.

(13) The Police or the Juvenile or the Child Welfare Officer from the Special Juvenile Police Unit, or the recognized voluntary organization shall be responsible for the safety and provision of food and basic amenities to the juveniles apprehended or kept under their charge during the period such juveniles are with them.

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

13. *Post-production processes by the Board.* (1) The Board shall resort to the following post-product processes, namely:

- (a) The Board shall maintain a proceedings paper in Form - XXV furnishing therein full information as to all steps taken in the case such as reasons for adjournments, issue of process to the persons, marking of documents etc. The entries shall be neatly written by any one of the members and shall be initialled by the members attending;
- (b) Whoever produces the juvenile before the Board shall produce a birth certificate or any other certificate in proof of age of the juvenile within a period of fourteen days. If there is any dispute regarding the age of the child the Board shall determine the same as per Rule 19;
- (c) The Board or member, as the case may be, shall ensure that the police on taking charge of the child has informed to the Probation Officer concerned and Parents/ Guardians of the Juvenile of the same;
- (d) On production of the juvenile before the Principal Magistrate/ Board, it shall be ascertained whether the Juvenile has been subjected to any form of cruelty and if so, appropriate action shall be initiated forthwith against the person having control or actual charge over the juvenile; and
- (e) The Board may, irrespective of the nature of offence committed by the juvenile, notwithstanding anything contained in the Code of Criminal Procedure, 1973, or any other law for the time being in force, release the juvenile on bail with or without surety to the parents or legal guardians or a fit person or fit institution after due verification. The Board may also refuse bail to the juvenile in conflict with law, for reasons to be recorded in writing, if the release is likely to be against the best interest of the juvenile. The pre-bail enquiry report of the Probation Officer may also be considered before refusing the bail.

(2) On production of the juvenile before the Board, the report containing socio-economic background of the juvenile, circumstances of apprehension and offence alleged to have been committed provided by the officers, individuals, agencies producing the juvenile shall be reviewed by the Board, and the Board shall pass the following order in the first summary inquiry on the same day, namely:

- (a) dispose off the case where the juvenile is involved in trivial law breaking and terminate all further proceedings, if the evidence of their conflict with law appears to be unfounded;
 - (b) transfer to the Committee, matters concerning juveniles clearly stated to be in need of care and protection in the police report submitted to the Board at the time of production of the juvenile;
 - (c) release the juvenile in the supervision or custody of fit persons or fit institutions or probation officers as the case may be, through an order in Form -I, with a direction to appear or present a juvenile for an inquiry on a next date;
 - (d) detain the juvenile in an Observation Home or fit institution pending inquiry, only in cases of juveniles involved in serious offences as per an order in Form-II; and
 - (e) in all cases of release pending inquiry, the Board shall notify on the date of hearing, the next date of hearing, which shall be within 15 days of the first summary enquiry and also seek Social Investigation Report from the concerned Probation Officer through an order in Form-III.
- (3) The Board shall take the following steps to ensure fair and speedy inquiry, namely:
- (a) at the time of initiating the inquiry, the Board shall satisfy itself that the juvenile in conflict with law has not been subjected to any ill-treatment by the police or by any other person, including a lawyer or Probation Officer and take corrective steps in case of such ill-treatment;
 - (b) in all cases under the Act the proceedings shall be conducted in a simple manner as possible and care shall be taken to ensure that the juvenile, against whom the proceedings have been initiated, is given child-friendly atmosphere during the proceedings;
 - (c) every Juvenile brought before the Board shall be given the opportunity to be heard and participate in his inquiry;
 - (d) cases of petty offences, if not disposed of by the Special Juvenile Police Unit or at the Police Station itself, may be disposed of by the Board through summary proceedings or inquiry, while in cases of offences, entailing punishment of seven years or more due process of inquiry in detail may follow;

- (e) even in cases of inquiry pertaining to serious offences the Board shall follow the procedure of trial in summons cases;
- (f) the Board may compel the appearance of persons and production of things as provided under Chapter VI and VII of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974); and
- (g) save as otherwise expressly provided by the Act or these rules the Board shall follow the procedures for the trial of summons cases for the purpose of the inquiries conducted by it under the Act and shall scrupulously follow the procedure of trial and the rules of practice contemplated in the Code of Criminal Procedure, 1973 and the Criminal Rules of Practice with regard to trial of summons cases so far as it is not in conflict with Act and these rules.

(4) When witnesses are produced for examination in inquiry relating to a juvenile in conflict with law, the Board shall keep in mind that the inquiry is not to be conducted in the spirit of strict adversarial proceedings and it shall use the powers conferred by section 165 of the Indian Evidence Act, 1872 (Central Act 1 of 1872) so as to question the juvenile and proceed with the presumptions that favour the juvenile's right to be restored.

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

(6) All procedures and enquiries shall ensure the participation of the juvenile by ascertaining and recording his or her views during all stages. During such enquiries, it shall also be ascertained whether the juvenile had been subjected to any form of cruelty or abuse and if so, appropriate action shall be initiated against the erring officer in accordance with law.

(7) The Board may take into account the report of the police, containing circumstances of apprehension and offence alleged to have been committed, and the social investigation report in Form-IV prepared by the Probation officer on the orders of the Board in Form-III, along with the evidence produced by the parties for arriving at a conclusion about the juvenile and the gist of such report shall be stated in the findings.

(8) Every inquiry by the Board shall be completed within a period of four months after the first summary inquiry and only in exceptional cases involving trans-national criminality, large number of accused and inordinate delay in production of witnesses, the period of inquiry may be extended by two months on recording of reasons by the Board.

(9) In all other cases except where the nature of alleged offence is serious, delay beyond four to six months shall lead to the termination of the proceedings.

(10) Where the proceedings are delayed beyond six months on account of serious nature of the offence alleged to have been committed by the juvenile, the Board shall send a periodic report of the case to the Principal Sessions Judge stating the reason for delay as well as steps being taken to expedite the matter.

(11) The Board shall as far as possible prepare the final disposal order in Form- XXIII.

14. *Legal Aid.* (1) The proceedings before the Board shall be conducted in non-adversarial environment, but with due regard to all the due process guarantees such as right to counsel and free legal aid.

(2) The Board shall ensure that the Legal Officer in the District Child Protection Unit and the State and District Legal Services Authorities shall extend free legal services to all the juveniles in conflict with law.

(3) The Legal Officer in the District Child Protection Unit and the State Legal Services Authority shall be under an obligation to provide legal services sought by the Board.

(4) In the event of shortfall in the State Legal Services Authority's support, the Board shall be responsible for seeking legal services from recognized voluntary legal services organizations.

(5) The Board may also deploy the services of law students, volunteers and nongovernmental organizations in para-legal tasks such as contacting the parents of juveniles in conflict with law and gathering relevant social and rehabilitative information about the juveniles.

15. *Completion of Inquiry and Dispositional Alternatives.* (1) The Board shall complete every inquiry within the stipulated time of four months and on recording a finding about juvenile's involvement in the alleged offence, pass one of the seven dispositional orders enumerated in section 15 of the Act.

(2) Before passing an order, the Board shall obtain a social investigation report prepared by the Probation Officer ordered to do so by the Board, and take the findings of the report into account.

(3) All dispositional orders passed by the Board shall necessarily include an Individual Care Plan for the concerned juvenile in conflict with law, prepared by a Probation Officer or voluntary organization on the basis of interaction with the juvenile and his family where possible.

(4) Where the Board decides to release the juvenile after advice and admonition or participation in Individual or group counselling or orders him to perform community service, necessary direction may also be made by the Board to the District or State Child Protection Unit or the Government for arranging such individual counselling, group counselling and community service.

(5) The maximum period of community service is two hundred and forty hours in a year with a minimum of two hours per day, which can be completed during weekends or holidays considering the education or avocation engagements of the juvenile in conflict with law.

(6) The place where the community service is to be performed and the authorities to supervise the community services are to be identified/selected and declared in advance by the Board in consultation with Social Justice Department.

(7) Where the Board decides to release the juvenile in conflict with law on probation and place him under the care of the parent or guardian or fit person in Form- VII, the person in whose custody the juvenile is released may be required to submit a written undertaking in Form No. V for the good behaviour and well-being of the juvenile for a maximum period of three years; and while ordering so the Board may direct the Probation Officer to submit progress report at such intervals as directed by the Board.

(8) The Board may order release of a juvenile in conflict with law on execution of a personal bond without surety in Form No. VI.

(9) In the event of placement of a juvenile in conflict with law in care of a fit institution or special home, the Board shall keep in mind that the fit institution or special home is located nearest to the place of residence of the juvenile's parent or guardian.

(10) The Board, where it releases a juvenile in conflict with law on probation and places him under the care of parent or guardian or fit person or where the juvenile is released on probation and placed under the care of fit institution, may order that the juvenile be placed under the supervision of a Probation Officer. The period of supervision shall be a maximum of three years.

(11) Where the Board decides that a juvenile in conflict with law ought to be treated as a child in need of care and protection, it shall make necessary orders for production of such juvenile before the Committee for suitable care, protection and rehabilitation.

(12) Where it appears to the Board that the juvenile in conflict with law has not complied with probation conditions, it may order the juvenile to be sent for detention in a Special Home.

(13) Where a juvenile in conflict with law who has attained the age of sixteen years and the offence committed by him is of such a serious nature that in the satisfaction of the Board, it is neither in the interest of the juvenile himself nor in the interest of other juveniles of the special home to place him in the special home, the Board may order the juvenile to be kept in a place of safety and in a manner considered most appropriate by it.

(14) The Board shall issue an order committing the juvenile to an Institution only after taking into account,ó

- (a) the views of the child;
- (b) the best interest of the child;
- (c) the social investigation report;
- (d) individual care plan;
- (e) report from a psychologist/psychiatrist/case worker; and
- (f) the fact that detention to be a measure of last resort and for the shortest possible period of time.

(15) Whenever the Board orders a juvenile to be kept in an institution, it shall forward to the Officer-in-charge of such institution a copy of its order in Form - II with particulars of his/ her home, parents or guardian and previous record, if any.

(16) The Board shall obtain periodical report from the Probation Officer or placement organization or institutions to which the Juvenile is entrusted under section 15 of the Act.

(17) The Government shall make arrangement for complying with the detention of special category of juveniles in conflict with law in a place of safety, other than the Special Home, established with better structural security and therapeutic care.

(18) Normally the period of detention shall not exceed the maximum period provided in clause (g) of sub-section (1) of section 15 of the Act.

16. *Institutions for juveniles in conflict with law.*ó(1) The Government shall set up separate observation homes, place of safety and special homes for boys and girls.

(2) The observation homes or place of safety or special homes shall be set up as provided under Rule 53 of these Rules.

(3) Every institution shall keep a copy of the Act, the Rules made by the Government for use by staff, juveniles and children residing therein.

(4) The Governments shall develop and make available simplified and child friendly versions of the Act and the Rules in Malayalam.

(5) All facilities and services for juveniles in conflict with law shall be made available and maintained as per the provisions of the Act and these Rules.

17. *Release.* (1) The Officer-in-charge or Superintendent shall maintain a roster of the cases of juveniles in conflict with law to be released on the expiry of the period of stay as ordered by the Board.

(2) Each case shall be placed before the Management Committee set up under Rule 68 of these rules by the Probation Officer concerned or case worker for ensuring proper release and social mainstreaming of the juvenile post-release.

(3) The release shall be as per the pre-release and post-release plan prepared under the Individual Care Plan and reviewed from time to time by the management committee set up under Rule 68 of these Rules and in all cases of release, necessary action and preparation shall be initiated before six months from the date of release by calling a pre-release report from the Probation Officer and shall include preparation for post-release follow-up programmes like calling periodic reports from the Probation Officer about the progress of the ex-pupil.

(4) For the said purpose in this regard a home investigation shall be conducted by the Probation Officer of the district where the parents or/relatives or sureties, of the juvenile reside for effective aftercare supervision.

(5) The timely information of the release of a juvenile and of the exact date of release shall be given to the parent or guardian and Probation Officer; and the parent or guardian shall be invited to come to the institution to take charge of the juvenile on that date.

(6) If necessary, the actual expenses of the parent's or guardian's journey both ways and of the juvenile's journey from the institution shall be paid to the parent or guardian, as the case may be, by the Officer-in-charge or Superintendent at the time of the release of the juvenile.

(7) If the parent or guardian, as the case may be, fails to come and take charge of the juvenile on the appointed date, the juvenile shall be taken by the escort of the institution; and in case of a girl, she shall be escorted by a female escort.

(8) At the time of release or discharge, a juvenile shall be provided with a set of clothing and essential toiletries, if the Officer-in-charge or Superintendent considers it necessary.

(9) If the juvenile has no parent or guardian, he may be sent to an aftercare organization or in the event of his employment, to the person who has undertaken to employ the juvenile.

(10) The Officer-in-charge or Superintendent of a girls' institution may, subject to the consent of the girl and the approval of the competent authority, help the girl with her social re-integration by way of sending a girl above the age of eighteen years to an aftercare organization or helping her with education or some vocation or gainful employment or helping her settle into family life according to the procedure laid down by the Director, Department of Social Justice from time to time.

(11) The Officer-in-Charge or Superintendent shall order the discharge in Form No. VII of any juvenile whose detention period has come to an end and inform the competent authority within seven days of the action taken and if the date of release falls on a Sunday or a public holiday, the juvenile may be discharged on the preceding day with an entry to that effect being made in the register of discharge.

(12) The Officer-in-Charge or Superintendent shall, in appropriate cases, order the payment of T.A and D.A admissible to Class IV employees as fixed by the Government from time to time, by the Government or the District Child Protection Unit set up under the Integrated Child Protection Scheme.

(13) In deserving cases, the Officer-in-charge or Superintendent may provide the juvenile with such small tools, as may be necessary; to start a work or business subject to such maximum cost as may be fixed by the institution which shall also form part of the post-release plan.

(14) The Officer-in-charge or Superintendent, subject to the approval of the competent authority or Director, Department of Social Justice may allow the juvenile over seventeen years of age but less than eighteen years of age at his/her own request to stay in the after-care organization till the completion of the education, vocational training or medical treatment if any. However the maximum period will be up to his/her attaining the age of twenty years.

(15) The Officer-in-charge or Superintendent shall inform the Director of Department of Social Justice about the date of release of the juvenile or child along with the bio-data of the juvenile or child, at least six months in advance, to take appropriate action by ordering to call for the pre-release report from the Probation Officer having jurisdiction over the place of residence of the parents or guardians, if any, of the child.

(16) The Director, Department of Social Justice shall appoint, in relevant cases, the Probation Officer having jurisdiction, as the After Care Officer of the Juvenile or child for a period of two years, in order to undertake the after care supervision for social re-integration.

(17) If there is no one to look after the juvenile he or she may be sent to the after care organization till he or she attains the age of twenty years.

18. *Procedure to be followed in respect of Sections 21, 22, 23, 24, 25 and 26 of the Act.*ó(1) In the event of violation of provisions laid down under section 21 of the Act,ó

- (a) The Board/Committee shall take cognizance of such violation by print, visual or electronic media and shall initiate necessary inquiry or transfer the case to an appropriate Court for further inquiry and pass appropriate orders as per provisions contained in sub-section (2) of section 21 of the Act; and
- (b) where the National or the State Commission for Protection of Child Rights takes *suo motu* cognizance of violation under section 21 of the Act, it shall inform the District or the State Child Protection Unit of the concerned district and the State directing them to initiate necessary action, through the Board/ Committee.

(2) In the event of an escape of a juvenile in conflict with law or a child, the following actions shall be taken within twenty-four hours, namely:ó

- (a) the Officer-in-charge or Superintendent of any institution shall immediately send a report to the concerned Police Station or Special Juvenile Police Unit along with the details and description of the juvenile or child, with identification marks and a photograph, with a copy to the Board, District Child Protection Unit and other authorities concerned;

- (b) the Officer-in-charge or Superintendent of institutions shall send the care takers or concerned staff in search of the juvenile, at places like railway stations, bus stands and other places where the juvenile is likely to go;
- (c) the parents or guardians shall be informed immediately about such escape;
- (d) the Officer-in-charge or Superintendent of an institution shall hold an inquiry about such escape and send his report to the Board or Committee and the authorities concerned and the report shall be placed before the Management Committee set up under rule 68 of these rules in the next meeting for review; and
- (e) the Board or Committee after considering the report, if satisfied that further action, if any, is to be taken, the matter shall be referred to the Director of Social Justice Department.

(3) The offences against a juvenile in conflict with law or a child specified in sections 23, 24, 25 and 26 of the Act shall be either bailable or non-bailable besides being cognizable under the provisions of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) and the procedures shall apply on the Police, the Board and the concerned authorities and functionaries accordingly.

(4) In the event of any information of any offence under sections 23, 24, 25 and 26 of the Act comes to the notice of the Board/Committee they shall direct the police to register a case, investigate into and to report the Court having jurisdiction;

(5) The District Child Protection Unit shall also intimate to the Police about any information they receive about any offences against juvenile or child specified under sections 23, 24, 25 and 26 of the Act.

CHAPTER IV

COMMON PROCEDURES FOR COMPETENT AUTHORITIES
AND COURTS

19. *Procedure to be followed in determination of Age.* (1) In every case concerning a child in need of care and protection or a juvenile in conflict with law, the Court or the Board or the Committee as the case may be, shall determine the age of such juvenile or child or a juvenile in conflict with law within a period of thirty days from the date of making of the application for that purpose.

(2) The Court or the Board or as the case may be the Committee shall decide the juvenility or otherwise of the juvenile or the child or as the case may be, the juvenile in conflict with law, prima facie on the basis of physical appearance or documents, if available, and send him to the observation home, children's home or in Jail:

Provided if the person is sent to Jail by the Court on the basis of physical appearance, his age also has to be determined by the procedures - prescribed in the Act.

(3) In every case concerning a child or juvenile in conflict with law, the age determination inquiry shall be conducted by the Court or the Board or, as the case may be, the Committee by seeking evidence by obtaining the following, namely:

- (a) (i) the birth certificate given by a Corporation or Municipal authority or a Panchayat and in the absence thereof;
- (ii) the matriculation or equivalent certificates, if available; and in the absence whereof; and
- (iii) the date of birth certificate from the school (other than a play school) first attended;

(b) and only in the absence of either (i), (ii) or (iii) of clause (a) above, the medical opinion will be sought from the District Medical Officer who will assess and report the age of the juvenile or child. In case exact assessment of the age cannot be done, the Court or the Board or, as the case may be, the Committee, for the reasons to be recorded by them, may, if considered necessary, give benefit to the child or juvenile by considering his/her age on lower side within the margin of one year and, while passing orders in such case the Court or the Board or as the case may be the committee shall, after taking into consideration such evidence as

may be available, or the medical opinion, as the case may be, record a finding in respect of his age and either of the evidence specified in any of the clauses (a), and in the absence whereof, clause (b) shall be the conclusive proof of the age as regards such child or the juvenile in conflict with law.

(4) If the age of a juvenile or child or the juvenile in conflict with law is found to be below eighteen years on the date of offence, on the basis of any of the conclusive proof specified in sub-rule (3), the Court or the Board or as the case may be, the Committee shall in writing pass an order stating the date of birth and declaring the status of juvenility or otherwise, for the purpose of the Act and these rules and a copy of the order shall be given to such juvenile or the person concerned.

(5) Save and except where, further inquiry or otherwise is required, inter alia, in terms of section 7A, section 64 of the Act and these rules, no further inquiry shall be conducted by the Court or the Board after examining and obtaining the certificate or any other documentary proof referred to in sub-rule (3) of this rule.

(6) The provisions contained in this rule shall also apply to those disposed off cases, where the status of juvenility has not been determined in accordance with the provisions contained in sub-rule (3) and the Act requiring dispensation of the sentence under the Act for passing appropriate order in the interest of the juvenile in conflict with law.

(7) When the Board or the Committee, as the case may be passes an order to the Birth Registering Authority to register and issue birth certificate to the child, the registration may be effected and certificate be issued as and when the parents/guardian/authorized custodian of the child produces the Date of Birth Certificate issued by the Board or Committee. No other documents shall be demanded and certificate shall be issued within ten days from the filing of application for birth registration certificate.

20. Procedure to be followed by a magistrate not empowered under the Act. (1) When any juvenile or child is produced before a Magistrate not empowered to exercise the powers of a Board or Committee under the Act and the Magistrate is of the opinion that such person is a juvenile or child, he shall record his reasons and send the juvenile or child to the competent authority.

21. *Procedure to be followed in the matters not prescribed by these rules.* Save as otherwise expressly provided by the Act and these rules the competent authority while holding the inquiries under any provisions of the Act and these rules, shall ensure that the proceedings be conducted in as simple a manner as possible, and that the juvenile against whom the proceedings have been instituted is given a homely atmosphere during the proceedings.

22. *Forms to be used.* The forms prescribed by these rules shall be used for respective purposes mentioned therein with such variations as the particular circumstances of each case may require.

CHAPTER V

CHILD IN NEED OF CARE AND PROTECTION

23. *Child Welfare Committee.* There shall be a Child Welfare Committee in every district, which shall be constituted by the Government through a notification in the Official Gazette as per sub-section (1) of section 29 of the Act.

24. *Composition of the Child Welfare Committee.* (1) The Committee shall consist of a Chairperson and four other members, of whom at least two shall be women and another an expert on matters concerning children.

(2) The Chairperson and members of the Committee shall be appointed on the recommendation of a Search cum Selection Committee set up by the Government.

(3) The Search cum Selection Committee, while selecting the Chairperson and members of the committee shall ensure that none of them has been in a position of control or has been involved directly or indirectly in the management of or has been an employee of any Specialised Adoption Agency/Orphanage situated within the jurisdiction of the committee.

(4) The Government shall provide for such training and orientation in child psychology, child welfare, child rights, national and international standards for juvenile justice and rehabilitation plan to all members of the Committee as it considers necessary.

25. *Tenure of the Committee.* 6(1) The Committee shall have tenure of three years or till a new committee is constituted and the tenure of Chairperson and members shall be co-terminus with the tenure of the Committee. The tenure of the Committee shall be in continuum and the existing Committee shall hand over all records and information to the newly formed Committee.

(2) The Chairperson and members of the Committee shall be eligible for appointment for a maximum of two consecutive terms.

(3) Extension of the tenure of members of the Committee for the second term shall be on the basis of their performance appraisal by the State Child Protection Unit and on the recommendation of the Search cum Selection Committee.

(4) The performance appraisal of the members and Chairman of the Committee shall be made by the Search cum Selection Committee on the basis of their general performance as members, achievements in quality and quantity in disposing of the cases, other child rights protection activities attendance in the sittings of the Committee, approach to the children, participation in orientation and training organised on child rights by the Social Justice Department.

(5) The Chairperson and members may resign at any time by giving one month's notice in writing or may be removed from office as provided in sub-section (4) of section 29 of the Act.

(6) Any casual vacancy in the Committee may be filled by appointment of another person from the panel of names prepared by the Search cum Selection Committee, and shall hold office for the remaining term of the Committee.

26. *Qualifications for Chairperson and members of the Committee.* 6(1) A person to be selected as a Chairperson or member of the Committee shall be a person not less than 35 years of age and not more than 70 years of age, who has a post-graduate degree in social sciences discipline or degree in health, education or law and experienced in the field of health, education, child development or correctional services and has been actively involved and engaged in planning, implementing and administering measures relating to child welfare for at least seven years.

(2) No person shall be considered for selection as a Chairperson or member of the Committee, if he,6

- (a) has been convicted under any law involving moral turpitude;
- (b) has ever indulged in child abuse or employment of child labour or any other human rights violations or immoral act;
- (c) is holding such other occupation that does not allow him to give necessary time and attention to the work of the Committee;
- (d) does not fulfil the qualification and experience prescribed in the Act and the rules made there under and in such a case the Search/Selection Committee shall after due inquiry and on establishment of such fact, reject his application and recommend the name of the next person from the list of names prepared for filling the vacancies.

(3) No person shall be considered for selection as a Chairperson or member of the Committee, unless he swears an affidavit to the effect that he has satisfied the conditions in rule 26 (2) (a) to (c).

27. *Sitting and conveyance allowances.* 6(1) The Chairperson and members of the Committee shall be paid at rates determined by Government from time to time but not less than one thousand rupees per sitting as sitting fee and in addition shall be entitled to travelling allowance also.

(2) For journeys performed for attending the meetings of the Committee and other official duties there shall be no ceiling for claiming the amount.

28. *Sitting of the Committee.* 6(1) The Committee shall hold its sittings in the premises of the children's home or, at a place in proximity to any juvenile justice institution or, at a suitable premise in any institution run under the Act or arranged by the Department of Social Justice.

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

(3) The premises where the Committee holds its sittings shall be child-friendly and shall not look like a court room in any manner, or for example, the Committee shall not sit on a raised platform and the sitting arrangement what so ever shall be uniform and there shall be no witness boxes. Proceedings shall be conducted in a homely atmosphere.

(4) The Committee shall meet at least once in a week which can be extended depending upon the cases and pendency of work. The office time of the committee shall be from 10.30 AM to 5 PM and the committee shall ordinarily sit from 11AM to 5 PM with an interval not exceeding one hour. A minutes book showing the starting of the committee meeting, members present and closing of the proceedings and the brief details of the cases handled shall be maintained. A separate attendance register shall also be maintained.

(5) A minimum of three-fourth attendance of the Chairperson and members of the Committee is necessary in a year.

29. *Functions and Powers of the Committee.* The Committee shall perform the following functions to achieve the objectives of the Act, namely:

(a) take cognizance of and receive child in need of care and protection produced before the Committee;

(b) decide on the matters brought before the Committee;

(c) reach out to such children in need of care and protection who are not in a position to be produced before the Committee, being in difficult circumstances, with support from the District Child Protection Unit or State Child Protection Unit or the Government;

(d) conduct necessary inquiry on all issues relating to and affecting the safety and well being of the child;

(e) direct the Child Welfare Officers or Probation Officers or recognized non-governmental organizations to conduct social inquiry and submit a report;

(f) ensure necessary care and protection, including immediate shelter to children;

(g) ensure appropriate rehabilitation, repatriation and restoration, including passing necessary directions to parents or guardians or fit persons or fit institutions in this regard, in addition to follow-up and co-ordination with District Child Protection Unit or State Adoption Resource Agency and other agencies;

(h) direct the Officer-in-charge or Superintendent of children's homes to receive children in need of care and protection;

(i) document and maintain detailed case record along with a case summary of every case dealt by the Committee and record all cases brought before the committee in registers provided in these rules;

(j) provide a child-friendly environment for children;

(k) declare a child legally free for adoption ;

(l) keep information about and take necessary follow-up action in respect of missing children in their jurisdiction;

(m) Maintain positive liaison with the Board in respect of cases needing care and protection;

(n) visit each institution where children are sent for care and protection or Specialised Adoption Agency at least once in six months to review the condition of children in institutions, with support of the Government and suggest necessary action;

(o) monitor associations and agencies within their jurisdiction that deal with children in order to check on the exploitation and abuse of children;

(p) co-ordinate with the departments of Police, Labour, Health, Education, Social Justice and Local Self Government and other agencies involved in the care and protection of children in difficult circumstances such as street children, child beggars, child labourers, abused children, mentally challenged children, HIV infected and affected children etc., with the support of District or State Child Protection Unit ;

(q) liaison and network with the corporate sector and non-governmental organizations for any of the above, including for social inquiry restoration and rehabilitation, as and when required;

(r) maintain a suggestion box to encourage inputs from children and adults alike and take necessary action. The Committee shall keep a record of all suggestions received along with the reasons for the implementation or non-implementation of the same. The record shall be open to the public;

(s) take cognizance of the incidents of child rights violations, including offences punishable under sections 23 to 26 of the Act, and direct the concerned Police Station House Officer to inquire and report to the Children's Court or to any special Court having jurisdiction with a copy to the Committee; or to inquire into such incident and to make complaint to the Children's Court or to any special Court having jurisdiction;

(t) Whenever any case of child in difficult circumstances comes to the notice of the Committee, the Committee shall be competent to issue an order to the Special Juvenile Police Unit or Child Welfare Officer or Probation Officer to conduct an inquiry and submit the report for taking steps under the provisions of the Act;

(u) compel the appearance of persons and production of things as per the procedures contained in Chapter VI and VII of the Code of Criminal Procedure (Central Act 2 of 1974);

(v) order to furnish security, execute bond with or without sureties and forfeit the bonds;

(w) submit a quarterly performance report showing the date and hours of sitting, members attended, number of cases categorizing the nature of cases, gender wise data, interventions, nature of disposals and special achievement in Form No. XXXIII; and an annual performance report to the Principal District and Sessions Judge with a copy to the Director, Department of Social Justice; and

(x) order an inquiry whenever violations of child rights come to the notice of the Committee and call upon the parent, guardian or any other person having possession of the child to produce the child before the Committee. If the committee is satisfied that any violation of child right has occurred, it shall take remedial measures.

30. *Procedure in relation to Committee.*ó(1) The quorum for the meeting shall be three members attending, which may include the Chairperson. The Chairperson or a member nominated by committee to chair the meeting in the absence of the Chairperson, shall convene the meetings of the Committee and maintain the records. The Chairperson of his own accord or as requested by two or more members in writing shall convene the meetings. The Chairperson shall be the spokesperson of the Committee and shall have the administrative control over the Committee. Every communications addressed to the Chairperson intended to be communicated to the Committee shall be presented by the Chairperson in the next sitting of the Committee.

(2) In the absence of the Chairperson on the date fixed for the sitting of the Committee, the members present shall elect a Chairperson from among themselves for conducting the business of the Committee for the day.

(3) Any decision taken by an individual member, when the Committee is not sitting, shall require ratification by the Committee in its next sitting.

(4) The Committee shall take into consideration the age, developmental stage, physical and mental health, opinion of the child and the recommendation of the Child Welfare Officer/Probation Officer prior to disposal of cases.

(5) Where there is difference of opinion in the process of disposition or interim order, if any to be made, the opinion of the majority shall prevail and in case of no majority, the opinion of the Chairperson shall prevail. In such cases the Chairperson shall record in writing the circumstances that led him to take such a decision.

(6) For final disposal of a case, the order of the Committee shall be signed by at least two members, including the Chairperson.

(7) The order shall contain the point or points for determination, the decision thereon and reasons for the decision shall also contain in tabular form such particulars as serial number, name of the Police Station limit and crime number if any, name of the child, name of the parent/custodian, address, age and date of birth, date of production before the Committee, date of sending the child to the children's home, name and address of the institution to which the child is given, date of closing of inquiry, provision of law under which the proceeding is initiated, operative part of the order and explanation for delay the order shall be as far as practicable, in Form No. XXIV.

(8) In the case of order declaring child legally free for adoption, operative part of the order shall be given separately in the Form No. XIV.

(9) The Committee shall provide a copy of final order passed free of cost to the District Probation Officer concerned and forward the calendar statement of final order to the District Child Protection Unit, Principal Sessions Judge and the Director, Department of Social Justice, Government of Kerala during every quarter.

(10) Process issued by the Committee shall be entered in the process Register in Form No. XXXII.

31. *Production of a Child before the Committee.* (1) A child in need of care and protection shall be produced before the Committee within twenty-four hours, excluding journey time, by one of the following persons, namely:

- (a) any police officer or Special Juvenile Police Unit or a designated police officer;

- (b) any public servant, including Probation Officer and Labour Officer;
- (c) CHILDLINE, a registered voluntary organization or by such other voluntary organization or an agency as may be recognized by the Government;
- (d) any social worker;
- (e) by the parent/guardian;
- (f) any public spirited citizen; or
- (g) by the child himself.

(2) In case of a child under five years of age, who is unable to travel because of medical reasons, the person or the organization shall send a written report along with the photograph of the child to the Committee within twenty four hours and in such cases one member of the Committee shall visit the institution and prepare a report.

(3) The Committee shall *suo motu* take cognizance of cases brought to their notice and reach out to a child in need of care and protection where necessary and the District or the State Child Protection Unit or the Government shall provide necessary support and assistance to the Committee for carrying out such functions.

(4) In case the Committee is not sitting, the child may be produced before the single member of the Committee for being placed in safe custody of parent or guardian or fit person or fit institutions, as the case may be, till such time that the child can be produced before the Committee.

(5) In case the single member is also not accessible, or that the hours are odd, the child shall be taken by a non-governmental organisation or Childline or Police to an appropriate institution for children registered under the Act with all the necessary documents, and placed in such institution till the time of production before the Committee. The child shall be produced before the committee or member by the non-governmental organisation or Childline or Police on the next day itself with sufficient explanation for the delay.

(6) The concerned institution shall also inform the Chairperson or a member of the Committee about such child admitted to the institution.

(7) Whoever produces a child before the Committee shall submit a report on the circumstances under which the child came to their notice and efforts made by them on informing the police and in cases where a recognized voluntary organization or any police personnel produce a child before the Committee, they shall also submit a report on the efforts made by them for tracing the family of the child.

(8) Any general medical, general or gynaecological, examination of children shall not be a pre-requisite for production of the child before the Committee or admission in an institution. However, a medical report of the child shall be obtained by the Committee within 72 hours from a qualified paediatrician or where a paediatrician is unavailable by a qualified doctor. Any qualified paediatrician or doctor directed by the committee to submit a report shall be bound to do so.

32. *Procedure for inquiry.* (1) The Committee shall maintain a proceedings paper in Form - XXV furnishing therein full information as to all steps taken in the case such as reasons for adjournments, issue of process to the persons, marking of documents etc. The entries shall be neatly written by any one of the members and shall be initialled by the members attending.

(2) When a child is produced before a single member of the Committee as per sub-rule (4) of Rule 31 such member shall place the proceeding taken by him in the next sitting of the Committee and the Committee shall pass appropriate orders either ratifying or modifying the order of the individual member.

(3) When a child is brought before the Committee, the committee shall record the date and time of the production of the child before Committee in the proceedings paper, verify whether the child is produced before the Committee within twenty four hours as provided under sub- section (1) of section 32 of the Act and prima facie satisfy that the child is a child in need of care and protection.

(4) In case of any doubt or dispute with regard to the age of the child, the member or Committee, as the case may be, shall determine the same as per Rule 19.

(5) The Committee shall also satisfy that the child has not been subjected to ill-treatment or harassment either by the Police or by any other person who takes charge of the child for the purpose bringing before the Committee and if any such incident of ill treatment or harassment has been either noticed by the Committee itself or caused to be brought to the notice of the Committee, it shall initiate appropriate action against the offenders, by filing a complaint before the Magistrate having jurisdiction.

(6) When a child is brought before the Committee, the Committee shall direct the Probation Officer or Social Worker or Child Welfare Officer to conduct an inquiry and furnish report to the Committee including the prospects of rehabilitation through an order in Form No. XII. While ordering such investigation the Committee may also direct such persons to obtain an expert opinion in the cases pertaining to the psychological or psychiatric problems of the child. The Committee may also direct the expert to furnish a separate report about such child.

(7) The Committee shall direct the concerned person or organization about the details or particulars to be inquired into for developing an individual care plan and suitable rehabilitation.

(8) All inquiries conducted by a Probation Officer or Social Worker or Child Welfare Officer shall be as per Form No. XIII and must provide an assessment of the family situation of the child in detail, and explain in writing whether it will be in the best interest of the child to restore him to his family.

(9) The inquiry must be completed within four months or within such shorter period as may be fixed by the Committee:

Provided that the Committee may, in the best interest of the child and for the reasons to be recorded in writing, extend the said period under special circumstances.

(10) After completion of the inquiry by collecting necessary information from all relevant sources, if the Committee is of the opinion that child is a child in need of care and protection and is under orders to continue in the children's home, the Committee shall direct the Superintendent of the home to submit quarterly progress report of such child and produce the child before the Committee for an annual review of the progress.

(11) If the Committee is satisfied that the child can be corrected and rehabilitated at his home surroundings with or without additional non-institutional services, the Committee shall order the release of the child to his parents/guardian, as the case may be, and give them suitable directions. For the compliance of the directions given by the Committee, it may direct such persons to execute a bond.

(12) When a child is ordered 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 institution, the Committee shall direct the Probation Officer/Social Worker to effect the supervision for such period as the Committee may deem fit and submit progress report to the Committee regularly.

(13) The Committee shall also direct a medical officer or any medical institution to undertake medical examination in respect of children and furnish report for follow-up action thereof.

(14) If the Committee finds that a child is abused as per the report of Medical Officer or as per the report of Probation Officer/Social Worker, the Committee shall issue summons to concerned persons to be present on such date or dates specified for enquiry and initiate appropriate action against such offender by filing a complaint before the Magistrate having jurisdiction.

(15) The Committee shall facilitate the filing of a police complaint and First Information Report in cases of missing children as well as matters of violence, exploitation and abuse of children and arrange for required legal aid through the Legal Officer in the District Child Protection Unit or District or State Legal Aid Services Authority or voluntary organisations.

(16) Each Committee shall send quarterly information about children in need of care and protection received by them to the Principal Sessions Judge, State Child Protection Unit, Director, Department of Social Justice and Government.

(17) Children shall be provided a child-friendly environment during the proceedings of the Committee.

(18) The Committee shall have an empanelled list of lawyers, doctors, social workers and mental health experts who may assist the Committee in dealing with cases of abused children and who may also interface with the Public Prosecutor or Assistant Public Prosecutor to facilitate legal services to the abused children, when the cases relating to such children are taken up in regular criminal courts.

(19) Every possible effort shall be made to complete the inquiry regarding the child within four months and in case of complaint regarding inordinate delay in passing final order by the Committee, the Government is empowered to call for explanation from the Committee and to initiate appropriate action against the erring Committee.

(20) The Committee shall send the child to the designated children's home, with age and gender appropriate facilities, pending inquiry and in such eventuality, the District Child Protection Unit or State Child Protection Unit or Director, Department of Social Justice or Government shall provide transport or make necessary budgetary allocations for such expenses based on the actual fare.

(21) The child may be escorted by the police officer or representative of the voluntary organization or by any other arrangement as considered appropriate by the Committee with support from the District Child Protection Unit and in case of a girl child, a female escort shall accompany the child.

(22) A list of all recognized child care institutions along with their capacity and appropriate facilities as prescribed under section 34 of the Act, a list of all child-related resource services and a list of contact details of all Child Welfare Committees of the State and preferably across the country shall be provided to the Committee by the District Child Protection Unit or Government. The Committee shall keep the list of all recognised children's home within its jurisdiction, along with its capacity, facilities etc.

(23) The Committee may, while making a supervision order in Form No. VIII placing a child under the care of a parent, guardian or a fit person pending inquiry or at the time of restoration, as the case may be, direct such parent, guardian or fit person to enter into an undertaking in Form No. IX and if found expedient to do so, to execute a bond for compliance of the conditions of such undertaking.

(24) Whenever the Committee orders a child to be kept in an institution, it shall forward to the Superintendent of such institution a copy of the order of short term placement pending inquiry, in Form No. X with particulars of the home and parents or guardian and previous record.

(25) Whenever the Committee orders a child to be restored to a fit institution under clause (f) of the explanation to sub-section (3) of section 39 of the Act, it shall forward a copy of its order of restoration in Form No. XI to the Superintendent of such institution and the Director, Department of Social Justice.

(26) The child shall be placed in an institution closest to where his parents or guardians belong as far as possible, unless the child has been subjected to abuse or exploitation by parents or guardians and the Committee which placed the child in the children's home shall have the responsibility to conduct the follow up programmes also. The Director, Department of Social Justice may transfer the child to any other institution for administrative convenience.

(27) Based on the reports filed by the children's home under clause (c) of sub-rule (1) of Rule 36 of these rules the Committee may give the parents, adoptive parents, foster parents, guardian, fit person or fit institution suitable directions under sub-section (3) of section 39 of the Act.

(28) The Committee shall monitor in consultation with the Director, Department of Social Justice the individual care plan prepared regarding each child while in the children's home and during aftercare for a period of two years under the supervision of the Probation Officer.

(29) The Committee is empowered to forward proposals to the Director of Social Justice after necessary investigation regarding the sponsorship programme of a child under the Integrated Child Protection Scheme with a view to rehabilitate the child by fulfilling the primary needs in the community settings.

33. *Child Rights protection.*6(1) The Committee is the competent authority to provide for the basic needs and protection of human rights of children.

(2) Wherever any instances of child rights violation comes to the notice of the Committee either directly or on the report of a Probation Officer or otherwise, the Committee shall issue an order to the Police to conduct an inquiry and submit report within such period as may be specified in the order.

(3) If the Committee is satisfied that any violation of child right has occurred, the Committee shall call upon the parent, guardian or any other person who is having the custody of the child to produce the child before it and show cause why action should not be taken against him. If the explanation is not satisfactory and the Committee is satisfied that leaving the child along with parent/guardian or the custodian is detrimental to the best interest of the child, the Committee shall order for removal of the child there from and keep him in a children's home or such other place of safety.

(4) If, on inquiry, the Committee is satisfied that immediate removal of the child is necessary for the best interest of the child, it shall issue a search warrant for the immediate production of the child.

(5) If the Committee, on an inquiry, arrives at a conclusion that there is prima facie evidence to confirm violation of the child rights which may amounts to an offence against the child, the Committee shall at the earliest file a complaint before, the Children's Court specified under section 25 of the Commissions for Protection of Child Rights Act, 2005 or before the Magistrate having jurisdiction. Whenever any case of child in difficult circumstances come to the notice of the Committee directly or on the report of the Probation Officer or otherwise, the Committee shall be competent to issue an order to the juvenile or Child Welfare Officer/Special Juvenile Police

Unit to conduct an investigation and submit a report within such time as it deem fit. If the Committee is satisfied that the child needs care and protection, it can issue proper orders for the best interest of the child as provided under the Act and these Rules.

34. *Registers to be maintained by the Committee.* The Committee shall maintain the following registers, namely:

(a) *Register of Original Petitions.* This Register shall be maintained in Form No. XXVI wherein every original petition for declaration of child as free for adoption filed before the Committee shall be entered, numbered serially year wise and headed with a case title setting out the provision of law under which it is filed and names and full addresses of the parties to it described as petitioner and respondents together with a brief summary.

(b) *Register of Reports.* This Register shall be maintained in Form No. XXVII wherein every report submitted to the Committee under sub rule (7) of Rule 31 and information regarding admission, of child in need of care and protection into the children's home shall be entered together with a brief summary and shall be numbered serially year wise.

(c) *Register of Miscellaneous Petitions.* This register shall be maintained in Form No. XXVIII wherein every other application filed before the Committee shall be entered and numbered serially and year wise as Miscellaneous Petition and particulars of which shall be entered in the register in Form XXVIII.

(d) *Hearing Book.* Every Committee shall maintain a Hearing Book in Form XXIX.

(e) *Diary Register.* Every Committee shall maintain a daily diary on sitting days in Form No. XXX. The entries therein shall be signed with date by all the members of the Committee attending the sitting.

(f) *Member's Diary.* Every member of the Committee shall keep a personal diary in Form No. XXXI.

(g) *Proceedings Paper.* When records are sent up to a court of appeal or revision or forwarded to a Committee to which the case is transferred a typed or neatly written copy of the proceedings paper shall be placed with the records.

35. *Annual review of the Committee and training.* (1) The State Government shall annually inspect and review the functioning of the Child Welfare Committee in detail through the Director, Department of Social Justice.

(2) If the Director, Department of Social Justice finds any misconduct or any incidence of violations of these rules or case laws by the Chairperson or members of the Committee or members of the Board which may invite action for the termination of the Chairperson or member under sub-section (4) of section 29 of the Act, the Director, Department of Social Justice may recommend the same to the Government for taking appropriate action.

(3) The State Government shall organize annual and periodic review meeting as well as periodic training programmes for the Committee members, who shall attend such training programmes without fail.

36. *Children's Homes.* (1) The State Government itself or in association with voluntary organizations, shall set up separate homes for children in need of care and protection, in the manner specified below:

(a) all children's homes shall apply for registration under Form No. XL of these rules and get itself registered as child care institutions under sub-section (3) of section 34 of the Act in Form XLII and rule 85 of these rules;

(b) all children's homes shall be certified as per the procedure laid down in rule 85;

(c) all children's homes shall report quarterly to the concerned Committee about the progress of every child in need of care and protection received by them in Form XLIV;

(d) The children's home shall have the facilities as mentioned in Rule 53 of these Rules.

(2) Each children's home shall be a comprehensive child care centre with the primary objective to promote an integrated approach to child care by involving the community and local Non-Governmental Organisations through the Management Committee set up under Rule 68 of these rules and the District or State Child Protection Unit shall make an annual performance review of functioning of the children's homes.

(3) The activities of such centre shall focus on:

(a) preparing and following individual care plans for every child, with rights based approach, specifically addressing the child's physical and mental health, emotional needs, education, skill development, protection and special needs if any;

(b) family based non-institutional services, such as, foster family care and sponsorship;

(c) specialized services in situations of conflict or disaster and for juvenile or children affected by terminal or incurable disease to prevent neglect by providing family counselling, nutrition, health interventions, psycho-social interventions and sponsorship;

(d) linkages with Integrated Child Protection Society to cater to the needs of children below six years;

(e) linkages with organizations and individuals who can provide support services to children with the approval of the State Child Protection Unit; and

(f) opportunities to capable volunteers willing to provide various services for children.

37. *Shelter Homes.* (1) For children in urgent need of care and protection, such as street children and run-away children, the Government shall support creation of requisite number of shelter homes or drop-in-centres through the voluntary organizations.

(2) Shelter homes shall include:

(a) short-stay homes for children needing temporary shelter, care and protection for a maximum period of one year;

(b) transitional homes providing immediate care and protection to a child for a maximum period of four months; and

(c) 24 hour drop-in-centres for children needing day care or night shelter facility.

(3) The shelter homes or drop-in-centres shall have the minimum facilities of boarding and lodging, besides the provision for fulfilment of basic needs in terms of clothing, food, health care and nutrition, safe drinking water and sanitation.

(4) The shelter homes shall have the facilities as mentioned in Rule 55 of these Rules.

(5) All Shelter Homes shall provide requisite facilities for education, vocational training, counselling and recreation or make arrangements for them in collaboration with voluntary organizations or corporate sector.

(6) The Committee, Special Juvenile Police Units, public servants, CHILDLINE, voluntary organizations, social workers and the children themselves may refer a child to such shelter homes.

(7) All Shelter Homes shall submit a report within 24 hours of children using the shelter home facility along with a photograph of the child to the Committee, the missing persons bureau or Special Juvenile Police Unit and the District or the State Child Protection Unit.

(8) The requirements of producing a child received by a shelter home before the Committee, inquiry and disposal under sections 32, 33, 38 and 39 of the Act shall apply only to shelter homes other than drop-in-centres.

(9) The services of Officer-in-charge or Superintendent, Child Welfare Officer, and Social Worker shall be provided with the proper care, protection, development, rehabilitation and reintegration needs of children in shelter homes.

(10) No child shall ordinarily stay in a short stay shelter homes for more than a year except in special circumstances with the approval of the Committee.

38. *Place of Safety.*ó(1) The competent authority may declare any place or institution (not being a police lockup or jail) as a place of safety for juvenile in conflict with law falling within the purview of section 16 of the Act be transferred to such Place of Safety where they would be subjected to necessary therapeutic care; like specialised medical/counselling/psychiatric care, and vocational training for their proper educational, vocational, mental, psychological, social and employment rehabilitation and to prevent them from reverting to bad company or crime.

(2) The Place of Safety shall have all the facilities of a Children's Home regarding diet, staff and infrastructure apart from the added facilities relating to more security for the institution and personnel for therapeutic care to the juvenile/children.

(3) Place of safety shall have additional staff like: Psychological Counsellor, Case Worker and a Part-time Psychiatrist.

(4) Adequate vocational infrastructure, physical training including gymnasium, yoga training, games, sports activities are also to be provided in the place of safety.

CHAPTER VI

REHABILITATION AND SOCIAL RE-INTEGRATION

39. *Rehabilitation and Social Re-integration.* The primary aim of rehabilitation and social re-integration is to help children in restoring their dignity and self-worth and mainstream them through rehabilitation within the family where possible or otherwise through alternate care programmes and long-term institutional care shall be of last resort.

40. *Adoption.* (1) The primary aim of adoption is to provide a child who is orphaned, abandoned or surrendered by his biological parent(s) with a permanent substitute family.

(2) For all matters relating to adoption, these rules and guidelines issued from time to time by the State Government and notified by the State Government shall apply. In the absence of such rules the guidelines issued by the Central Adoption Resource Agency and notified by the Central Government under sub-section (3) of section 41 of the Act shall apply.

(3) In case of orphaned and abandoned children the following procedure shall apply, namely:

(a) An authorised representative of the Specialized Adoption Agency shall submit a report within twenty-four hours of receiving such child, in writing in person to the office of or to a member of the Child Welfare Committee about the orphaned and abandoned child who is to be declared legally free for adoption. Upon receiving such report, one of the members of the Committee, preferably a woman, shall visit the Specialised Adoption Agency and conduct an inquiry and issue an authorisation for the further keeping of the child in the institution and shall report the matter to the Committee.

(b) A child becomes eligible for adoption when the Committee has completed its inquiry and declares the child legally free for adoption. The child shall be declared free for adoption within one month from the date of such report made by the Specialized Adoption Agency. The Child Welfare Committee shall submit a monthly report to the State Adoption Resource Agency with a copy to the Director of Social Justice stating the number of applications for legally free for adoption certificates for orphaned and abandoned children received by the Committee, when they were filed, whether they have been disposed of within one month and the reasons for the delay, if not.

(c) such declaration shall be made in Form No. XIV.

(d) a child above 6 years in age must be produced before the Committee at the time of declaring such child legally free for adoption; If a child is below 6 years in age, production of the Child before the Committee shall not be insisted on and if found necessary, one of the members of the Committee shall visit to the institution for the identification of the child.

(e) whenever intimation is received by the police about an abandoned infant, the police shall take charge of the infant and arrange to provide immediate medical assistance and care and then place the child in a Specialized Adoption Agency and report the matter to the Child Welfare Committee.

(f) procedure for declaring child abandoned and certifying him legally free for adoption shall be as follows, namely:ó

(i) in case of an abandoned child, the Specialized Adoption Agency shall within twenty four hours, report or produce the child before the Committee with the copy of the report filed with the police station in whose jurisdiction the child was found abandoned;

(ii) the Committee shall institute a process of inquiry, which shall include a thorough inquiry conducted by the Probation Officer or Child Welfare Officer, as the case may be and who shall give report in Form No. XIII to the Committee containing the findings within 15 days;

(iii) there shall be a declaration by the Specialized Adoption Agency, stating that there has been no claimant for the child even after notification in at least one leading newspaper and report to the missing persons bureau in police or the National Tracking System for missing and vulnerable children, such notification and report having been made within seven days of receipt of the child;

(iv) the period of notification shall run concurrently with the inquiry to be conducted and report submitted under clause (ii) of this sub-rule;

(v) the Committee shall declare the child legally free for adoption on completion of the process of inquiry, including declaration of the Specialized Adoption Agency made under clauses (ii) and (iii) of this sub-rule;

(vi) no child above seven years who can understand and express his opinion shall be declared legally free for adoption without his written consent.

(4) In case of surrendered children the following procedure shall apply, namely:ó

(a) If a child born in wedlock is surrendered, both parents have to sign the surrender document. In case a parent is dead, the surrender document will have to be signed by the surviving parent. In case of a child born out of wedlock, the mother herself and none else can sign the surrender document. If she is a minor at least one signature of the parent or guardian of the minor should be obtained in the presence of the minor.

(b) No case other than what is stated in clause (a) of sub-rule (4) of Rule 40 shall constitute a valid surrender and all other cases shall be dealt with as an orphaned and abandoned child as provided sub-rule (3) of Rule 40 of these rules.

(c) Efforts shall be made by the Specialised Adoption Agency for counselling the parent(s), to discourage the surrender of such child, explaining the consequences of adoption and exploring the possibilities of parent(s) retaining the child and if, the parent(s) is/are unwilling to retain, then, such child shall be kept in the custody of the Specialised Adoption Agency;

(d) if the surrender is inevitable, the parent(s) shall be informed that they have a right to reclaim the child within sixty days of the date of surrender, and that such surrender shall become irrevocable after sixty days and the child will be considered legally free for adoption.

(e) The unwed mother shall be counselled by the social worker of the institution where the unwed mother is an inmate.

(f) The consequences of relinquishment including the extinguishment of parental rights must be explained to the unwed mother and documented.

(g) A deed of surrender in Form XV shall be executed on a non-judicial stamp paper valued at `100 by the biological parent(s) in the presence of the Committee. However where the institution is unable to produce the unwed mother and child before the Committee for reasons of ill health or indisposition of the unwed mother or child, two women members of the Committee shall visit the institution within twenty four hours of the receipt of the intimation from the institution excluding the time necessary for the journey. The institution shall be bound to give such intimation promptly to the Committee either in person or over telephone and also make the request for a visit of the Committee. In case where two women members are

not available as members in the Committee, one male member may accompany the woman member. In cases where no woman member is available or the two members, as specified above do not visit the institution within the time limit stipulated above, the Surrender Deed shall be attested by at least two responsible persons and such document of surrender shall not only contain the names of the biological parent(s) and their addresses but also information in regard to the birth of the child and the child's background, health and development. If the biological parent(s) state a preference for the religious upbringing of the child, their wish should as far as possible, be respected, but ultimately the interest of the child alone should be the sole guiding factor and the biological parent(s) should be informed that the child may be given in adoption to a foreigner who professes a religion different from that of the biological parent(s).

(h) the Specialised Adoption Agency shall wait for completion of two months reconsideration time given to the biological parent(s) after surrender for the child being declared as legally free for adoption; Thereafter the Specialised Adoption Agency shall immediately make an application to the Committee for declaring the child as legally free for adoption. On receipt of such application, at least one of the members of the Committee, preferably a woman member, shall visit the institution and peruse the relevant documents and make a report to the Committee which shall issue the legally free for adoption certificate.

(i) the surrender deed shall be safely and confidentially kept by the Specialised Adoption Agency. The member of the Committee, on visiting the Specialised Adoption Agency, shall peruse the deed of surrender. However the Committee shall not retain the original of the surrender deed while issuing the legally free for adoption certificate but shall retain only a copy of the same.

(j) The legally free for adoption certificate shall be issued in Form No. XIV within thirty days from the date of filing of the application.

(5) For the purposes of Chapter IV of the Act, "Court" implies a Civil Court, which has jurisdiction in matters of adoption, guardianship and foster care may include the Court of the District Judge, Family Court and Children's Court. The State Government may in consultation with the High Court, notify such court in each district as Specialised Adoption Court.

41. *The Procedure for Adoption.* The Procedure for adoption shall be,

(a) The child shall be referred to prospective adoptive parents only by a Specialised Adoption Agency including pre-adoption foster care;

(b) The child shall be legally placed for adoption with the prospective adoptive parent(s) by the competent Court; for this purpose; the Court having jurisdiction over the area where the Specialised Adoption Agency is located;

(c) The Specialised Adoption Agency along with the prospective adoptive parent(s) shall file a petition in the Court having jurisdiction for obtaining the necessary adoption orders under the Act and these Rules within ten days from the acceptance of referral by prospective adoptive parent(s) and shall take necessary steps to get the process of legal adoption completed at the earliest;

(d) Every petition for in-country adoption shall be accompanied by the following, namely:ó

(i) Home Study Report in Form No. XXXIV prepared by Probation Officer/qualified Social Worker of the Specialised Adoption Agency;

(ii) Birth certificate of the prospective adoptive parent(s);

(iii) Proof of residence of prospective adoptive parent(s);

(iv) Marriage certificate of prospective adoptive parent; in the case of couple;

(v) Income certificate for the last three years of prospective adoptive parent(s);

(vi) Four photographs of the couple/single parent (post card size, mid close) ;

(vii) Medical Certificate showing both husband and wife or single parent is mentally and physically fit;

(viii) Child Study Report in Form No. XXXV and medical Examination report of the child duly signed by the prospective adoptive parent(s) ;

(ix) A declaration from the prospective adoptive parent/parents expressing their willingness to take the child in adoption in Form No. XXXVI;

(x) Declaration of willingness of the institution to give the child in adoption (in Form No. XXXVII);

(xi) Copy of recognition of the Specialised Adoption Agency for in-country adoption;

(xii) Certified copy of order declaring the child legally free for Adoption from Child Welfare Committee; and

(xiii) If the Court so requires, the original of the surrender deed shall be produced before Court, and the same shall be returned immediately after verification. In order to maintain the confidentiality of the parent(s) who have surrendered the child, no copy of the surrender deed shall be retained as part of the records in the Court.

(e) In case of inter country adoption, in addition to the above documents, other documents prescribed under the guidelines formulated by the Central Adoption Resource Agency from time to time have also to be produced.

(f) The Court shall dispose off the case within a maximum period of two months from the date of filing of the application. The order shall also include provision for a half yearly follow up report either by the social worker of the Specialised Adoption Agency or from a panel of accredited social workers maintained by the State Adoption Resource Agency to ensure the well being of the child for a minimum period of three years. The Court shall not insist on the personal presence of the child for such follow up.

(g) When the proposed adoptive parent(s) is related to the child, the Court may dispense with any of the above conditions. However, a periodical supervision of the child by a social worker will be in the best interest of the child.

(h) A photograph of the child signed by the Registry of the Court shall be attached to the order.

(i) No formal form of ceremony for the adoption under the Act is required and the order issued by the court shall be a final adoption order, conferring the adopted child the status of a biological child in marriage of the adoptive parent(s) with full rights of inheritance and succession over the properties of the adoptive parent(s).

(j) If the prospective adoptive parent(s) have already been appointed as legal guardian(s) by the competent Court, then they need to produce only the certified copy of the guardianship order, the Court after conducting a formal enquiry, may issue an adoption order. Before issuing the order, the court may consider a report of the Probation Officer or Social Worker regarding the present condition of the child and family.

(k) The adoptive parents, if employed, are eligible to get a familiarization leave in accordance with instructions issued by Government from time to time.

(l) The adoptive child is entitled to get all the rights/duties as that of a natural born child with respect to the adoptive parents. A copy of the adoption order shall be forwarded to the State Adoption Resource Agency by the Specialised Adoption Agency.

42. *Conditions for the licensing of, and minimum standard for specialised adoption Agencies for in-country adoption.* A specialized agency which seeks license shall fulfil the following conditions, namely: ó

(i) It shall be recognized under section 34 (2) of the Juvenile Justice (Care and Protection of Children) Act, 2000;

(ii) It shall function on a non-commercial and non-profitable basis;

(iii) It shall be a reputed agency having experience in the field of child welfare activities for a minimum period of 3 years;

(iv) It shall have appropriate facilities for the protection and upkeep of children as stipulated under these Rules;

(v) It shall have qualified and experienced staff for child care, preferably in the ratio of 4:1 for children below 1 year, 6:1 for children in the age group of 1-3 years and 8:1 for children in the age group of 3-6 years and 25:1 for older children;

(vi) It shall have professionally qualified social workers;

(vii) It shall maintain all records as prescribed by the Government from time to time; and

(viii) It shall adhere to any guideline or rule laid down by the Government both Central and State regarding in-country adoption from time to time.

43. *Procedure for licence of a Specialised Adoption Agency.* óAn Agency which satisfies all the conditions mentioned in Rule 42 of these rules can apply to the Director of Social Justice in Form No. A for license for doing in-country adoption. The Director of Social Justice, after due enquiry, will recommend to the Government and on the basis of the recommendation, the Government will issue the license in Form B. The initial License shall be for a period of 3 years. Subsequently it shall be renewed on every 4 years. The application for renewal of the license in Form C shall be submitted to the Director of Social Justice six months before the expiry of the license already issued.

44. *Facilities required in a Specialised Adoption Agency.* ó A specialised adoption agency shall have the following facilities, namely:ó

(a) *Physical facilities:*

(i) physical surroundings where the children are cared for must be clean.

(ii) sanitation and hygiene maintained at the agency must be adequate to prevent children from being prone to ailments.

(iii) there must be good lighting, ventilation and adequate space including separate rooms for infants and children above one year;

(iv) each child shall have cradle appropriate to his/her age;

(v) sufficient mattress and mosquito proof device must be provided;

(vi) there must be a living space at least 20 sq.ft. for each child;

(vii) separate room shall be provided for children below 1 year, 1 to 2 years, 3-4 years, 5-6 years and above;

(viii) 3+ children shall be given pre-school services;

(ix) walls and surroundings must be bright and stimulating;

(x) colourful objects and toys should be provided to attract the kids;

(xi) there shall be a separate room for sick children.

(xii) separate office room, counselling room, kitchen, store room and sufficient bathrooms are mandatory;

(xiii) there shall be adequate infrastructural facilities including almarah, table, chairs, etc.;

(xiv) there shall be separate play area according to the strength of the children; and

(xv) other criteria as prescribed in the Integrated Child Protection Scheme.

(b) *Medical facilities:*

arrangements for regular medical-check-up for all children preferably on every alternate day by a registered medical practitioner who shall be a qualified and experienced paediatrician.

(c) *Counselling Services:*

counselling services including post adoptive counselling to unwed mothers/biological parents, children, prospective adoptive parents and adoptive families.

45. *Foster Care.* (1) The orphaned, abandoned and surrendered children shall not be placed for foster care, except in pre-adoption foster care ordered by the Children's Court set up for children.

(2) Those orphaned, abandoned and surrendered children who cannot be placed in adoption, shall be placed for a short or extended period of foster care by the Court.

(3) A child in need of care and protection, other than orphaned, abandoned and surrendered children may be placed in foster care by the Court, after retaining the parental rights for usual or regular visit of the parents till the child is restored under section 39 of the Act.

(a) The foster care refers to physical custody/care of the child till he/she is able to return to the biological family as soon as the family circumstances improve and shall not exceed one year;

(b) The foster care may be ordered and carried out as given in sub-section (2) of section 42 by the Court under the supervision of a Probation Officer or social worker, as the case may be in Form No. XVII; and

(c) The period of foster care may be extended but the total period shall not exceed five years or the child ceases to be a child. After five years, if the child cannot return to the biological family, the child may be given in adoption to the foster family if they desire so.

(4) Persons competent to be foster parents are:

(a) a married couple;

(b) a single parent;

(c) members of the extended family of the child; and

(d) voluntary organisations or other recognized person/s willing to take responsibility of child/children in individual or group foster care.

(5) The foster parents may be paid a reasonable amount by way of maintenance which may all be decided by the Government from time to time.

(6) There should be regular monitoring and supervision carried out by the Probation Officer/Child Welfare Officer, as the case may be at quarterly intervals.

(7) The Probation Officer or social worker and the foster parent shall furnish a quarterly report regarding the foster child to the Court. Committee.

46. *Criteria for selection of families for foster care as temporary shelter.* 6(1) In case of the children covered under rule 45 of these rules, the following criteria shall apply for selection of families for foster care, namely: 6

(i) foster parents should have stable emotional adjustment within the family and society;

(ii) foster parents should have an income in which they are able to meet the needs of the child and are not dependent on the foster care maintenance payment;

(iii) medical reports of all the members of the family residing in the premises should be obtained including checks on Human Immune Deficiency Virus (HIV), Tuberculosis (TB) and Hepatitis B to determine that they are medically fit;

(iv) the foster parents should have the capacity to provide good child care;

(v) the home should have adequate space and basic facilities;

(vi) the foster care family should be willing to follow the rules laid down including regular visits to paediatrician, maintenance of child health and their records;

(vii) the foster parents should be willing to attend training or orientation programmes;

(viii) the foster parents should be willing to take the child for regular (at least once a month in the case of infants) check-ups to a paediatrician approved by the agency. The foster family should be willing to the announced and unannounced visits by concerned officials to foster carer's family and regular supervision by concerned officials to Probation Officer/Case Worker/Social Worker of Foster Care Agency;

(ix) foster carers should agree not to use corporal punishments to discipline the child in placement;

(x) foster carers should not make the child work except for the purpose of life skill training to the child; and

(xi) foster carers should be willing to take parental responsibility for the child and provide necessary orientation and training to be independent for a responsible adulthood; and

(xii) foster carers should be willing to support the child in foster care to have regular contact with the child's family provided such contacts help the child in his or her overall growth and development.

(2) There shall be no discrimination in selection of foster parents on the basis of caste, religion, ethnic status, disability and the best interest of the child shall be paramount in deciding foster-care placement and as far as possible the children be entrusted to the care of those foster parents belonging to the same faith

(3) Priority to the foster care placement of the child shall be in the extended family of the child rather than to an unrelated family. In the case of children above the age of seven years and who is willing to stay with a relative of his family and if that family is also willing to take the child on foster care, the child shall be released from the home and placed under the foster care of his relatives. In deserving cases the Court can relax any of the above conditions considering the best interest of the child;

(4) Foster care assessment report shall be prepared by the Probation Officer in Form No.XVI and the Court shall consider the report, before ordering foster care placement.

(5) A group of children may be entrusted in Group foster care by the Court for living in a family setting with a parent(s) for a short or extended period.

47. *Procedure for foster care.* (1) Any individual or family desirous of taking a child in foster care shall file a petition before the Court in whose local jurisdiction the child in need of care and protection is residing.

(2) For giving any child in foster care, the following procedures shall be followed, namely:

(a) adequate counselling to be imparted to the child by a qualified social worker before giving the child in foster care;

(b) series of counselling to be imparted to the prospective foster parents in order to prepare them for taking the responsibility of foster parenthood;

(c) the foster parent interaction with the child before foster placement be evaluated by the court;

(d) on finding acceptance of the child and the prospective foster parents, the placement may be ordered by the court.

(e) when the court orders the foster care placement, the foster parents shall execute such undertaking in the format prescribed; and

(f) the order of foster care shall be in Form No. XVII.

48. *Sponsorship.* The Government may facilitate sponsorship for meeting medical, nutritional, educational, recreational, life skill development and other needs of the children with a view to improve their quality of life through Non-Governmental Organisations, Child Welfare Committees, other relevant agencies and eligible individuals.

49. *After Care Organization.* (1) The Government shall set up after care programme for care of juveniles or children after they leave special homes and children's homes with the objective to facilitate their transition from an institution-based life to mainstream society for social re-integration.

(2) After care programmes shall be made available for seventeen to twenty year old persons, who have no place to go to or are unable to support themselves, by the State Government or District Child Protection Units in collaboration with voluntary organizations for the purpose of section 44 of the Act.

(3) Once the Director of Social Justice passes an order in Form No. XIX for placing a Juvenile or a Child over 17 years of age under the aftercare programme, a copy of such order shall be sent to the District and the State Child Protection Unit. For a juvenile or child over 17 years of age but less than 18 years of age, such order shall be passed only with the concurrence of the Board or Committee as the case may be.

(4) Before passing such order for an aftercare placement under sub rule (3), a report shall be obtained from the Probation Officer concerned in respect of each Juvenile or Child prior to his discharge, regarding the necessity and nature of aftercare of such Juvenile or Child, the period of such aftercare and supervision thereof.

(5) The Government shall establish such number of aftercare institutions as they may find necessary for the aftercare and rehabilitation of the Juvenile and Children discharged from institutions or children under supervision of Probation Officers. The Government may also give recognition to institutions run by aftercare Organisations, Associations or Societies.

(6) Any Organisation, Association or Society desiring to be recognised under clause (a) of section 44 of the Act may make an application in writing to the Director of Social Justice, who shall cause such Organisation, Association or Society to be inspected and forward a report to the Government regarding the facilities in such Organisation, Association or Society for the boarding, lodging, general health and the arrangement made for providing training and employment facilities to the Juvenile or Child for the purpose of enabling them to lead an honest, industrious and useful life.

(7) The diet, bedding, clothing, medical facilities and other services of the Aftercare home shall be the same as specified for a Special Home/ Children Home under the Act.

(8) The Aftercare Organisation shall provide the following programmes, namely:

(i) continuing of education/training with sponsorship support till the completion of the course;

(ii) facilitating employment generation and physical and psychological reintegration for these youths would be a key programme; and

(iii) a permanent qualified Full-time Counsellor shall be appointed in the Home. Under him a peer counsellor would be available for youth at these Homes.

(9) The internal management, functions and responsibilities of the Aftercare Home and the standards, and nature of services to be maintained by it shall be regulated by instructions as issued by Government from time to time.

(10) The Aftercare scheme formulated and modified by the Government from time to time, shall be followed.

(11) The key components of the institutional aftercare programme shall include the following, namely:

(a) community group housing on a temporary basis for groups of young persons aged seventeen to twenty years;

(b) encouragement to learn a vocation or gain employment and contribute towards the rent as well as the running of the home;

(c) encouragement to gradually sustain themselves without State support and move out of the group home to stay in a place of their own after saving sufficient amount through their earnings; and

(d) provision for a peer counsellor to stay in regular contact with these groups to discuss their rehabilitation plans and provide creative outlets for their energy and to tide over crisis periods in their life.

(12) During the course of vocational training a stipend may be provided till such time that the youth gets employment.

(13) Loans may be arranged for the youth in an aftercare programme aspiring to set up entrepreneurial activities on the basis of an application made by them and due verification of the need for such a loan, and necessary professional advice and training shall be made available to the youth in the aftercare programme in this regard.

(14) The structure shall include 6 to 8 youths in each group home who may opt to stay together on their own and one peer counsellor for a cluster of five group homes.

(15) In the case of children pursuing higher studies, the Government shall meet the expenditures on their education, boarding and lodging in the concerned students hostels as per the recommendations of competent authorities or the State Child Protection Unit. Such stay of the individual may be treated as an extension of the after care programme. During such stay the following social integration process shall be initiated, namely:

(a) to provide children with training on job oriented programmes;

(b) to provide children specialized training to improve their skill in particular job oriented training programme.

(c) to provide children with personality development or career development programmes to prepare themselves to face interviews; and

(d) to provide training in spoken English and communication skills for better social integration.

(16) Children who have no parent/guardian alone are eligible for admission:

Provided that the children who have parents/guardians shall also be admitted for specific purposes of continuing their higher education or vocational training.

(17) No person who is over and above the age of twenty years shall be allowed to continue in the After Care Organization.

(18) After care organizations may make linkages with Community Colleges in association with Universities/Deemed Universities/Social work Institutions with the following objectives, namely:

- (a) empowerment and skill development;
- (b) organisation of job oriented training to suit the local needs;
- (c) increasing self esteem and communication skill, and
- (d) life skill education.

50. *Vocational Rehabilitation Centre.* Vocational Rehabilitation Centres may also form the integral part of aftercare programme, with the focus on job oriented training to children above 14 years of age. The vocational training programmes in industry/agriculture shall be strengthened by appointing adequate and relevant staff by re-deploying the existing instructors, by eliminating the out dated vocational courses in the children's homes and by providing training to the Instructors on such courses to avoid retrenchment. Relevant instructors in the vocational areas (e.g. driving, agriculture, mobile repairing, computer professionals, sports instructor, welder) and career guidance professional shall be appointed on contract basis.

51. *Victim Assistance Cell.* (1) Child victim who are produced before the Child Welfare Committee or brought before Juvenile Justice Boards or victims of the offence committed by the juveniles brought before the Board/Committee often needs immediate assistance or follow-up actions in the form of medical, legal, monetary, nutritional, counselling, or other forms of help and rehabilitation. To monitor such immediate help as well as long term rehabilitation of such victims, a Victim Assistance Cell may be constituted in every district by the Government with the following members, namely:

(i) Superintendent of Special Home/Observation Home who shall be the Secretary;

(ii) Medical Officer of the nearby Government hospital;

(iii) An Advocate nominated by the District Legal Service Authority;

(iv) Probation Officer;

(v) Two social workers/counsellors involved in rehabilitation of child victims nominated by the Director of Social Justice; and

(vi) Clinical Psychologist nominated by Director of Social Justice.

(2) The Victim Assistance Cell may be attached to the Children's Home premises and all such services shall be rendered to such victims.

(3) Action may be taken to provide immediate assistance by the members individually or as a group in association with the existing amenities. The members may meet once or more in a month in the premises of the Children's Home and review the progress of cases relating to child victims of crime. Such work shall be co-ordinated by the Superintendent, Children's home with a view to procure compensation and take such other remedial measures for physical, sexual, economic, mental and/or emotional abuse meted towards children by adults or other children.

(4) The nominated members shall be eligible to receive one Dearness Allowance of a Class-1 officer per sitting.

(5) Government may, if they deem fit, create alternate mechanisms to provide for care to victims.

52. *Linkages and co-ordination.* 6(1) The Government shall circulate a copy of the Act and the rules framed there under to establish effective linkages between various Governments, Non-Government, and other community agencies for facilitating the rehabilitation and social reintegration of juveniles or children through the Board or the Committee as the case may be.

(2) The Government with the help of State or District Child Protection Unit shall identify the roles and responsibilities of each department at State or District levels for effective implementation of the Act and the rules and inform them through a notification.

(3) The Government with the help of State or District Child Protection Unit shall arrange for appropriate training and sensitization of functionaries of these departments from time to time in co-ordination with National Institute of Public Co-operation and Child Development and its Regional Centres.

(4) The Government with the help of State or District Child Protection Unit shall develop effective networking and linkages with local Non-Governmental organisations for specialized services and technical assistance like vocational training, mental health intervention, drug de-addiction and legal aid services.

CHAPTER VII

STANDARDS OF CARE FOR INSTITUTIONS

53. *Physical infrastructure.* (1) The homes for juveniles in conflict with law and children in need of care and protection shall function in separate premises.

(2) The accommodation in each institution shall be as per the following criteria, namely:

(a) *Observation Home:*

(i) Separate observation homes for girls and boys shall be set up by the State;

(ii) Classification and segregation of juveniles according to their age group preferably 7-11 years, 12-16 years and 16-18 years, giving due consideration to physical and mental status and the nature of the offence committed and with separate bathing and sleeping facilities.

(b) *Special Home:*

(i) Separate Special Homes for girls and boys shall be set up by the State;

(ii) Classification and segregation of Juveniles according to their age group preferably 7-11 years, 12-16 years and 16-18 years, giving due consideration to physical and mental status and the nature of the offence committed and with separate bathing and sleeping facilities.

(c) *Children's Home:*

(i) Separate children's homes for boys and girls shall be set up. Classification and segregation of Children in the age group of 5-11 years, 12-16 and 16 to 18 years, giving due consideration to the physical and mental status of the children and with separate facilities for sleeping and bathing.

(ii) In the absence of Specialised Adoption placement agency/ Foundling home in the District, separate facilities for children in the age group of 0-5 years with appropriate facilities for infants.

(d) *Shelter Home:* Separate shelter homes for girls and boys.

(e) *Place of Safety:* Separate place of safety for girls and boys, shall be set up.

(3) *The norms for building.* The norms for accommodation for an institution with 50 juveniles or children shall be as follows:

(i) two dormitories each with 1000 sq. ft. for 25 juveniles/children i.e. 2000 sq. ft.;

(ii) two classrooms 300 sq. ft. for 25 juveniles/children i.e. 600 sq. ft.;

(iii) sickroom/first aid room 75 sq. ft. per juvenile/children for 10 i.e. 750 sq. ft.;

(iv) kitchen 250 sq. ft.;

(v) dining Hall 800 sq. ft.;

(vi) store 250 sq. ft.;

(vii) recreation room 300 sq. ft.;

(viii) library 500 sq. ft.;

(ix) five bathrooms 25 sq. ft. each i.e. 125 sq. ft.;

(x) eight toilets/latrines 25 sq. ft. each i.e. 200 sq. ft.;

(xi) office rooms (a) 300 sq. ft. (b) Superintendent's room 200 sq. ft.;

(xii) counselling and guidance room 120 Sq. ft.;

(xiii) structures for differently abled children;

(xiv) residence for Superintendent (a) 2 rooms of 250 sq. ft. each (b) kitchen 75 sq. ft.; (c) bathroom cum toilet 50 sq. ft. , (d) a hall of 500 sq.ft and sit out 150 sq.ft.;

(xv) facilities, wherever possible, for rain water harvesting, kitchen garden, poultry and dairy;

(xvi) play ground sufficient area according to the total number of juveniles or children;

(xvii) there shall be proper and smooth flooring for preventing accidents.

(xviii) there shall be adequate lighting, ventilation, heating and cooling arrangements, safe drinking water and clean toilets, in terms of gender, age appropriateness and accessibility.

(xix) all institutions under the Act shall make provision of first aid kit, fire extinguishers in kitchen, dormitories, store rooms, periodic review of electrical installations, proper storage and inspection of articles of food stuffs, stand-by arrangements for water storage and emergency lighting; and

(xx) the observation homes and special homes and childrens homes shall be child-friendly and in no way shall they look like a jail or lock-up.

(4) The Superintendent shall reside within the institution.

54. *Clothing and Bedding.* The clothing and bedding shall be as per the scale. The requirements of each juvenile or child and the minimum standards for clothing and bedding are laid down in Schedule-I of these rules.

55. *Sanitation and Hygiene.* Every institution shall have the following facilities, namely:

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

56. *Daily Routine.* (1) Every institution shall have a daily routine for the juveniles or children developed in consultation with the Childrens Committees, which shall be prominently displayed at various places within the institution.

(2) The daily routine shall provide, inter alia, for a regulated and disciplined life, personal hygiene and cleanliness, physical exercise, yoga, educational classes, vocational training, organized recreation and games, moral education, group activities, prayer and community singing and special programmes for sundays and holidays.

(3) An yellow token be given to the juvenile or child for his every good activities in a week and an orange token signed by the Superintendent be given to the juvenile or child for his each unacceptable behaviour and the total is assessed by the end of every month with the involvement of Balasabha leaders and announced in the Balasabha.

57. *Nutrition and Diet Scale.*óThe following nutrition and diet scale shall be followed by the institutions, namely:ó

(a) the children shall be provided four meals in a day including breakfast;

(b) the menu shall be prepared with the help of a nutritional expert or doctor to ensure balanced diet and variety in taste as per the minimum nutritional standard and diet scale set out in Schedule II of these rules;

(c) every institution under this Act shall strictly adhere to the minimum nutritional standard and diet scale specified in Schedule II;

(d) juveniles or children may be provided special meals on holidays and festivals; and

(e) infants and sick juveniles or children shall be provided special diet according to the advice of the doctor on their dietary requirement.

58. *Medical Care.*ó(1) Every institution shall:ó

(a) maintain a medical record of each juvenile or child on the basis of monthly medical check-up and provide necessary medical facilities;

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

(c) have arrangement for the medical facilities, including a doctor on call available on all working days for regular medical check-ups and treatment of juveniles or children;

(d) have sufficient medical equipments to handle minor health problems including first aid kit with stock of emergency medicines and consumables;

(e) train all staff in handling first aid;

(f) tie-up with local primary health centre, Government hospital, medical colleges, other hospitals, clinical psychologists and psychiatrists and mental health institutes for regular visits by their doctors and students and for holding periodic health camps within the institutions;

(g) make necessary arrangements made for the immunization coverage;

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

(i) set up a system for referral of cases with deteriorating health or serious cases to the nearest civil hospital or recognised treatment centres;

(j) keep sick children under constant medical supervision;

(k) admit a juvenile or child without insisting on a medical certificate at the time of admission;

(l) arrange for a medical examination of each juvenile or child admitted in an institution by the Medical Officer within twenty four hours and in special cases or medical emergencies immediately;

(m) arrange for a medical examination of the juvenile or child by the medical officer at the time of transfer within twenty four hours before transfer;

(n) not to carry out any surgical treatment on any juvenile or child without the previous consent of his parent or guardian, unless either the parent or guardian cannot be found and the condition of the juvenile or child is such that any delay shall, in the opinion of the medical officer, involve unnecessary suffering or injury to the health of the juvenile or child, or otherwise without obtaining a written consent to this effect from the Superintendent of the institution;

(o) provide or arrange for regular counselling of every juvenile or child and ensure specific mental health interventions for those in need of such services, including separate rooms for counselling sessions within the premises of the institution; and

(p) refer such children who require specialized drug abuse prevention and rehabilitation programme, to an appropriate centre administered by qualified personnel where these programmes shall be adopted to the age, gender and other specifications of the concerned child.

(2) Every Juvenile or child shall be provided with adequate medical care, both preventive and remedial, including dental, ophthalmologic and mental health care, as well as pharmaceutical products and special diets as medically indicated on grounds of illness or ill health. All such medical care shall, where possible, be provided to detained juveniles through the appropriate health facilities and services of the community in which the detention facility is located, in order to prevent stigmatization of the juvenile and promote self-respect and integration into the community.

(3) Each institution shall provide for the necessary medical staff including a Nurse and a Part-Time Medical Officer and ensure that:

- (i) regular facilities are available for the medical treatment; and
- (ii) arrangements are made for the immunization coverage; and treatment centres.

(4) Medicines shall be administered only to the extent that is necessary for treatment on medical grounds and, when possible, after having obtained the consent of the juvenile concerned. In particular, they must not be administered with a view to eliciting information or a confession, for inflicting a punishment or as a means of restraint. Juveniles shall never be subjected to tests in the experimental use of drugs and treatment. The administration of any drug shall always be authorized and carried out by qualified medical personnel.

(5) The District Medical Officer shall arrange one Medical Officer for the periodic checkups of the children of observation home special home and childrens home once in a week. In the case of emergency, the Medical Officer shall extend his services as and when requested by the Superintendent.

59. *Mental Health.* (1) A mental health record of every juvenile or child shall be maintained by the concerned institutions.

(2) Individual and group therapy shall be provided to the children in the institution.

Explanation. For the purpose of this sub-rule, therapy is a process of recovery, which starts through providing an enabling culture and environment in an institution so as to ensure that each child's abilities are discovered and they have choices and right to take decisions regarding their life and thus, they develop and identify beyond their negative experiences and such intervention has a critical emotional impact on the child.

(3) The environment in an institution shall be free from abuse, allowing juveniles or children to cope with their situation and regain confidence.

(4) All persons involved in taking care of the children in an institution shall participate in facilitating an enabling environment and work in collaboration with the therapists.

(5) These shall be individual counselling, group therapy and experiential workshops of different levels which are specialized process and each institution shall make provisions for it as a critical mental health intervention.

(6) Every institution shall have the services of trained counsellors in collaboration with external agencies such as psychology and psychiatric departments or similar reputed national or international non-governmental agencies, for specialized and regular individual or group therapy for every juvenile or child in the institution.

(7) A mental health care plan shall be developed for every juvenile or child by the Superintendent in consultation with mental health experts associated with the institution and integrated into the individual care plan of the concerned juvenile or child.

(8) The recommendations of mental health experts shall be maintained in every case file and integrated into the care plan for every child.

(9) All care plans shall be produced before the Management Committee set up under rule 68 of these rules every month and before the Child Welfare Committee every quarter.

(10) No juvenile or child shall be administered medication for mental health problems without a psychological evaluation and diagnosis by a psychiatrist.

(11) A juvenile or child is a mentally ill person or addicted to alcohol or other drugs, the competent authority may order his removal to a psychiatric hospital or psychiatric nursing home and after his discharge, he may be ordered to be removed to an Integrated Rehabilitation Centre for addicts or to a Psycho-Social Rehabilitation centre for mentally ill persons certified by the State Government, and such removal shall be only for the period required for the inpatient treatment of such juvenile or child.

60. *Education.* (1) Every institution shall provide education to all juveniles or children according to the age and ability, both inside the institution or outside, as per the requirement.

(2) There shall be a range of educational opportunities including, mainstream inclusive schools, bridge school, open schooling, non formal education and learning and input from special educators where needed.

(3) Wherever necessary, special tuition shall be made available to school going children in the institutions and better education shall be provided to those students who show higher interest in studies by sending them to residential schools having good reputation.

(4) General Education up to the age of 14 shall be compulsory to all children.

(5) All children shall be instructed in physical exercise and drill. Game shall be arranged according to the availability of ground in each Home.

(6) Gardening shall be compulsory to all children.

(7) The Government may exempt the children who may be presented for the public examinations from the institutions under the Act from payment of fees for the examination.

(8) The Transfer Certificates issued to children from the institution for their admission in other schools shall be considered equivalent to those issued by the schools under the Government.

(9) Necessary opportunities for the self education of the inmates shall be provided for in the institution. Those who have the requisite capacity and desire to raise their educational level shall be encouraged to undertake further studies. They shall be given necessary facilities to appear for the examinations conducted by the Director of Public Instructions or Higher Secondary Directorate of the Government or by the University or by recognized institutions as private candidates.

(10) Children who have passed Standard VIII in an outstanding manner and desirous of higher studies may be given facilities for higher studies in such manner as may be specified by Government in this behalf.

(11) The Officer in-charge or Superintendent shall send a list of inmates who were attending High School classes and above at the commencement of each academic year and another list showing the names of inmates who have passed or failed during the year after the result of the final examination is published to the Director, Department of Social Justice for information;

(12) The Officer-in-charge or Superintendent may depute teachers or Headmaster to attend refresher or in service training conducted by the Education Department. The teachers or Headmaster as the case may be shall be eligible for the allowance as is admissible to the teachers of the Education Department during such training;

(13) The District Educational Officer/Assistant Education Officer within the Local Jurisdiction where the children's home is situated shall carry out academic inspection in the schools. He shall forward a copy of report of inspection to the Director, Department of Social Justice.

61. *Vocational Training.* (1) Every institution shall provide gainful vocational training to juveniles or children in the institution or send them to vocational institutions like, Industrial Training Institute.

(2) The institutions shall develop networking with Institute of Technical Instruction, Jan Shikshan Sansthan, Government and Private Organization or Enterprises, Agencies or non-governmental organisations with expertise or placement agencies.

(3) The Government shall recognize the vocational training given at institutions and such institution shall be treated as an Industrial Training Institute on par with the Government Technical Training Centre.

(4) Each institution shall have at least one trained Instructor to impart training on selected vocational trade and inmates will be prepared for appearing the Industrial Training Institute Certificate Examination.

(5) The academic inspection of the institution and Industrial Training Institute will be done by the Director of Technical Education or his nominee and forward the inspection report to the Director of Social Justice.

(6) The Officer-in-charge or Superintendent of the Institution shall fix time for schooling and vocational training according to the needs and availability of children and staff.

(7) The institutions shall be properly equipped with training aids, class rooms etc. for conducting the vocational training. The cost incurred in the training, inclusive of expenditure on staff, equipments, materials etc, shall be met from the fund established under this Act on the same lines as specified by the Directorate of Technical Education.

(8) Each children's home shall also provide facilities and staff for computer training based on the norms of National Council for Vocational Training.

(9) Whereever possible, juveniles above 14 years of age may be provided with the opportunity to perform non-hazardous remunerated work, if possible within the local community, as a complement to the vocational training provided in order to enhance the possibility of finding suitable employment when they return to their communities. The type of work shall be such as to provide appropriate training that shall be beneficial to the juveniles even after release. The organization and methods of work offered in children's home facilities shall resemble as closely as possible those of similar work in the community, so as to prepare juveniles for the conditions of normal occupational life.

62. *Recreation.* (1) A provision of guided recreation shall be made available to all juveniles or children.

(2) It shall include indoor and outdoor games, music, television, computer, literacy programmes, excursions, cultural programmes, leadership camps, experiential workshops, Balasabha programmes, celebration of religious festivals and celebration of birthdays of each child.

(3) The Department of Social Justice may organize annual cultural events such as bala mela in every children's home and children's fest at State level involving representatives from all the children's homes as participants.

63. *Institutional Management of juveniles or children.* (1) Every new child or juvenile who is brought to home shall immediately be taken charge of by the Officer-in-charge or Superintendent. The child shall be received with due care and treated with dignity and love. A brief orientation or induction shall be given to the child to remove any inhibition from the mind of the child.

(2) During the course of intake of the child, if it comes to the notice of the Officer-in-charge or Superintendent that the child had been abused or subjected to cruelty he shall report the fact forth with to the Committee for appropriate action.

(3) The following procedure shall be followed in respect of the newly admitted juveniles:

(a) receiving and search, welcome by the Officer-in-charge or Superintendent and staff and familiarization with the institution;

(b) disinfection and storing of juvenile's personal belongings and other valuables;

(c) bath and haircut (unless prohibited by religion);

(d) issue of toiletry items; new set of clothes, bedding and other outfits ;

(e) medical examination and treatment where necessary and in case of every juvenile suspected to be suffering from contagious or infectious diseases, mental ailments or addiction;

(f) segregation in specially earmarked dormitories or wards or hospitals in case of a child suffering from contagious disease requiring special care and caution;

(g) attending to immediate and urgent needs of the juveniles like appearing in examinations, interview, letter to parents, personal problems and verification of age as per order of the competent authority.

(4) Every newly admitted juvenile or child shall be allotted a case worker from amongst the Probation Officers or child welfare officers or caretakers or counsellors attached to the institutions or voluntary social workers or counsellors. Such case worker or social worker shall keep in touch with the juvenile or child as a friend and guide.

(5) Every newly admitted juvenile shall be familiarized with the institution, its staff and its functioning and shall provide orientation in the following areas, namely:

- (a) personal health, hygiene and sanitation;
- (b) institutional discipline and standards of behaviour, respect for elders and teachers;
- (c) daily routine, peer interaction, optimum use of developmental opportunities; and
- (d) rights, responsibilities and obligations within the institution.

(6) The Officer-in-charge or Superintendent shall enter the name of the juvenile or child in the Admission Register and allocate appropriate accommodation facility.

(7) The photograph shall also be taken immediately for records and the Case Worker or Probation Officer or Welfare Officer shall begin the investigation and correspondence with the person, the juvenile or child might have named.

(8) The officer-in-charge or the Superintendent shall see that the personal belongings of the juvenile or child received by the institution is kept in safe custody and recorded in the Personal Belonging Register and the item must be returned to the juvenile or child when he leaves the institution.

(9) The girl juvenile or child shall be searched, by a female member of the staff, and with due regard to decency and dignity of the juvenile or child.

(10) The educational level and vocational aptitude of the juvenile admitted, may be assessed on the basis of test and interview conducted by the teacher, the workshop supervisor and other technical staff and necessary linkages may also be established with outside specialists and community-based welfare agencies, psychologist, psychiatrist, child guidance clinic, hospital and local doctors, open school or Jan Sikshan Sansthan.

(11) A case history of the juvenile or the child admitted to an institution shall be maintained as per Form No.- XX, which shall contain information regarding his socio-cultural and economic background and these information may invariably be collected through all possible and available sources, including guardians, employer, school, friends and community.

(12) A well conceived programme of pre-release planning and follow up of cases discharged from special homes shall be organized in all institutions in close collaboration with Probation Officers and voluntary organizations.

(13) In the event of a juvenile or child leaving the institution without permission or committing an offence within the institution, the information shall be sent by the officer-in-charge or the Superintendent to the police and the family, if known; and the detailed report of circumstances along with the efforts to trace the juvenile or child where the juvenile or child is missing, shall be sent to the Board or Committee, as the case may be.

(14) An individual care plan for every juvenile or child in institutional care shall be developed with the ultimate aim of the child being rehabilitated and re-integrated based on their case history, circumstances and individual needs and the individual care plan shall be based on following guidelines, namely:

(a) the Officer-in-charge or the Superintendent along with the Child Welfare Officer or Case Worker shall prepare an individual care plan for every child in an institution within one month of his admittance as per Form No. XXI;

(b) all care plans shall include a plan for the juvenile's or child's restoration, rehabilitation, reintegration and follow-up;

(c) the care plan shall be reviewed quarterly by the Management Committee set up under rule 68 of these rules for appropriate development and rehabilitation including options for release or restoration to family or foster care or adoption;

(d) juveniles or children shall be consulted while determining their care plan; and

(e) continuity of care plan shall be ensured in cases of transfer or repatriation or restoration.

64. *Prohibited Articles.* (1) No person shall bring into the institution the following prohibited articles, namely:

(a) fire-arms or other weapons, mobile phones whether requiring license or not;

(b) alcohol and spirit of any description;

(c) tobacco, ganja, opium or any prohibited other narcotic drugs or psychotropic substances; and

(d) any other article specified in this behalf by the State Government, by a general or special order.

65. *Articles Found on Search and Inspection.*ó(1) The Officer-in-charge or the Superintendent shall see that every juvenile received in the institution is searched, his personal belongings inspected and money or any valuables found with the juvenile is kept in the safe custody of the Officer-in-charge or the Superintendent.

(2) The girls shall be searched only by a female member of the staff and both the girls and boys shall be searched with due regard to decency and dignity.

(3) In every institution, a record of money, valuables and other articles found with a juvenile shall be maintained in the iPersonal Belongings Registeri.

(4) The entries made in the Personal Belongings Register, relating to each juvenile, shall be read over to juvenile in the presence of a witness, whose signature shall be obtained and it shall be countersigned by the Officer-in-charge or the Superintendent.

66. *Disposal of Articles.*ó(1) The money or valuables belonging to a juvenile received or retained in an institution shall be disposed of in the following manner, namely:ó

(a) on an order made by the competent authority in respect of any juvenile, directing the juvenile to be sent to an institution, the Officer-in-charge or Superintendent shall deposit such juvenile's money together with the sale proceeds in the manner laid down from time to time in the name of the juvenile;

(b) the juvenile's money shall be kept with the Officer-in-charge or Superintendent and valuables, clothing, bedding and other articles, if any, shall be kept in safe custody;

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

(d) at the time of release of such juvenile, the valuables and other articles kept in safe custody and the money deposited in name of the juvenile shall be handed over to the parent or guardian, as the case may be, with an entry made in this behalf in the register and signed by the Officer-in-charge or the Superintendent;

(e) when a juvenile in an institution dies, the valuable and other articles left by the deceased and the money deposited in the name of the juvenile shall be handed over by the Officer-in-charge or the Superintendent to any person who establishes his claim thereto and executes an indemnity bond;

(f) a receipt shall be obtained from such person for having received such valuables and other articles and the amount; and

(g) if no claimant appears within a period of six months from the date of death or escape of such juvenile, the valuables and other articles and amount shall be disposed of as per the decision taken by Management Committee set up under rule 68 of these rules.

67. *Maintenance of Case File.* (1) The case file of each juvenile and child shall be maintained in the institution containing the following information; namely:

(a) report of the person or agency who produced the juvenile before the Board;

(b) officer-in-charge's or Probation Officer's or Child Welfare Officer's, Counsellor's and Case Worker's reports;

(c) information from previous institution;

(d) report of the initial interaction with the juvenile, information from family members, relatives, community, friends and miscellaneous information;

(e) source of further information;

(f) observation reports from staff members;

(g) regular health status reports from Medical Officer, drug de-addiction progress reports, progress reports vis-a-vis psychological counselling or any other mental health intervention, where applicable;

(h) Intelligence Quotient (I.Q.) testing, aptitude testing, educational or vocational tests;

(i) social history;

(j) summary and analysis by Case-Worker and Officer-in-charge or Superintendent;

(k) instruction regarding training and treatment programme and about special precautions to be taken;

(1) leave and other privileges granted;

(m) special achievements and violation of rules, if any;

(n) quarterly progress report;

(o) individual care plan, including pre-release programme, post release plan and follow-up plan as prescribed in Form No. XXI;

(p) leave of absence or release under supervision;

(q) final discharge;

(r) follow-up reports;

(s) annual photograph;

(t) case history duly filled in prescribed Form No. XX;

(u) follow-up report of post release cases as per direction of the competent authority if any; and

(v) a continuation sheet with periodic entries regarding the notable events and other developments related to the child or juvenile.

(2) All the case files maintained by the institutions and the Board or Committee shall, as far as possible, be computerised and networked so that the data is centrally available to the State and the District Child Protection Unit and the Government.

68. *Management Committee.*ó(1) Every institution shall have a Management Committee for the management of the institution and monitoring the progress of every juvenile and child notified duly by the Director of Social Justice.

(2) In order to ensure proper care and treatment as per the individual care plans, a juvenile or child shall be grouped on the basis of age, nature of offence or kind of care required, physical and mental health and length of stay order.

(3) The Management Committee shall consist of the following personnel; namely:

District Collector or Additional District Magistrate Chairperson;

District Child Protection Officer ñ Vice-Chairperson;

Superintendent/Officer-in-Charge	ñ Member-Secretary;
Deputy Superintendent of Police (Officer-in-charge of Special Juvenile Police Unit)	ñ Member;
Probation Officer	ñ Member,
Medical Officer	ñ Member;
Deputy Director of Education	ñ Member;
Assistant Engineer (Water Authority)	ñ Member;
Assistant Engineer (Electrical)	ñ Member;
Case worker	ñ Member;
Instructor in Vocation/Agriculture	ñ Member;
Teacher	ñ Member;
Social Worker Member of Juvenile Justice Board	ñ Member;
Representative of Child Welfare Committee	ñ Member;
Representative of Ex-pupil	ñ Member; and
Representative of juvenile/child from each of the Children's Committees (on a monthly rotation basis to ensure representation of juveniles or children from all age groups)	ñ Member

(4) Where voluntary organizations are involved in providing professional and technical services like education, vocational training, psychosocial care, mental health intervention and legal aid, the Management Committee may invite a representative of such voluntary organizations as a special invitee to the Management Committee meetings.

(5) (a) The Management Committee shall meet every month to consider and review:

- (i) custodial care or care in the institution, housing, area of activity and type of supervision or interventions required;
- (ii) medical facilities and treatment;
- (iii) food, water, sanitation and hygiene conditions;
- (iv) mental health interventions with the juveniles and children;

(v) individual problems of juveniles and children, provision of legal aid services and institutional adjustment, leading to the quarterly review of individual care plans;

(vi) vocational training and opportunities for employment;

(vii) education and life skills development programmes;

(viii) social adjustment, recreation, group work activities, guidance and counselling;

(ix) review of progress, adjustment and modification of residential programmes to the needs of the juveniles and children;

(x) planning post-release or post-restoration rehabilitation programme and follow up for a period of two years in collaboration with aftercare services;

(xi) pre-release or pre-restoration preparation;

(xii) release or restoration;

(xiii) post release or post-restoration follow-up;

(xiv) minimum standards of care, including infrastructure and services available;

(xv) daily routine;

(xvi) community participation and voluntarism in the residential life of children such as education, vocational activities, recreation and hobby; and securing a good friend/brother/sister having good reputation, for each juvenile or child. Such persons named as mentors are selected by the Management Committee and assign the care and protection of one child at time to such mentors by creating long time relationships;

(xvii) oversee that all registers as required under the Act and rules are maintained by the institution, check and verify these registers, duly stamped and signed in the monthly review meetings;

(xviii) matters concerning the Children's Committees; and

(xix) any other matter which the Officer-in-charge or Superintendent may like to bring up.

(b) The Officer-in-charge or the Superintendent shall file a quarterly progress report including online of every juvenile or child in the case file and send a copy to the District and State Child Protection Unit, Director of Social Justice and Board or Committee, as the case may be.

(6) The Management Committee shall set up a complaint and redress mechanism in every institution and a Children's Suggestion Box shall be installed in every institution at a place easily accessible to juveniles and children away from the office set up and closer to the residence or rooms or dormitories of the children.

(7) (a) The Children's Suggestion Box, whose key shall remain in the custody of the Chairperson of the Management Committee, shall be checked every week by the Chairperson of the Management Committee or his representative from District Child Protection Unit, in the presence of the members of the Children's Committees.

(b) If there is a problem or suggestion that requires immediate attention, the Chairperson of the Management Committee shall call for an emergency meeting of the Management Committee to discuss and take necessary action.

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

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

(e) All suggestions received through the suggestion box and action taken as a result of the decisions made in the emergency meeting or action required to be taken shall be placed for discussion and review in the monthly meeting of the Management Committee.

(8) A Children's Suggestion Book shall be maintained in every institution where the complaints and action taken by the Management Committee are duly recorded and such action and follow up shall be communicated to the Children's Committees after every monthly meeting of the Management Committee.

(9) The Board or Committee shall review the Children's Suggestion Book at least once in three months.

(10) Organising experimental workshops on soft skills to all the children and staff of Juvenile Justice Institution.

69. *Children's Committee or Balasabha.* (1) The Officer-in-charge or Superintendent of every institution for juveniles or children shall facilitate the setting up of Children's Committees ensuring representation of different age groups of children, viz., 6-10 years, 11-15 years and 16-18 years and these Children's Committees shall be constituted solely by children.

(2) Each children's committee shall consist of 10 children with one leader elected by them and the leaders may report to the Officer-in-charge or the Superintendent regarding the important issues from the Balasabha meetings.

(3) Such Children's Committee shall be encouraged to participate in the following activities:

- (a) improvement of the condition of the institution;
- (b) reviewing the standards of care being followed;
- (c) preparing daily routine and changes in diet scale;
- (d) developing educational, vocational and recreation plans;
- (e) supporting each other in managing crisis;
- (f) reporting abuse and exploitation by peers and caregivers;
- (g) creative expression of their views through wall papers or newsletters or paintings or music or theatre;
- (h) planning cultural and educational programmes in the home; and
- (i) management of institution through the Management Committee.

(4) The Officer-in-charge or Superintendent shall ensure that the Children's Committees meet every week discuss grievances of children and maintain a register for recording its activities and proceedings, and place it before the Management Committee in their monthly meetings.

(5) The Officer-in-charge or Superintendent shall ensure that the Children's Committees are provided with essential support and materials including space and guidance for effective functioning.

(6) The Officer-in-charge or Superintendent shall, as far as possible, seek assistance from local voluntary organization or child participation experts for the setting up and functioning of the Children's Committees.

(7) The local voluntary organization or child participation expert shall support the Children's Committees in the following, namely:

- (a) selecting their leaders;
- (b) conducting the weekly meetings;
- (c) developing rules for the functioning of Children's Committees and following it;
- (d) maintaining records and Children's Suggestion Book and other relevant documents;
- (e) any other innovative activity; and
- (f) monthly meeting of the leaders of the Children's Committee.

(8) The Management Committee shall seek a report from the Officer-in-charge or Superintendent on the setting up and functioning of the Children's Committees, review these reports in their monthly meetings and take necessary action where required.

70. *Rewards and Earnings.* (1) The rewards to a juvenile or child, at such rates as may be fixed by the management of the institution from time to time, may be granted by the Officer-in-charge or the Superintendent as an encouragement to steady work and for each good behaviour shown; and at the time of release, the reward shall be handed over after obtaining a receipt from the parent or guardian who comes to take charge of the juvenile or child or juvenile or child himself.

71. *Visits to and Communication with Juveniles or Children.* (1) The parents and relatives of the juveniles or children shall be allowed to visit once in a month or in special cases, more frequently at the discretion of the Officer-in-charge or Superintendent as per the visiting hours laid down by him, except where parents or relatives or guardians have been found to be responsible for subjecting the child to violence, abuse and exploitation.

(2) The receipt of letters by the juveniles or children of the institution shall not be restricted and they shall have freedom to write as many letters as they like at all reasonable times; and the institution shall ensure that where parents, guardians or relatives are known, at least one letter is written to them by the juvenile or child every month at the expense of the Government.

(3) The Officer-in-charge or Superintendent may peruse any letter written by or to the juvenile or children, and may for the reasons that he considers sufficient refuse to deliver or issue the letter and forward it to the Committee after recording his reasons in a book maintained for the purpose.

(4) The Officer-in-charge or Superintendent shall allow a juvenile or child to make telephonic communication with his parents or guardians or relatives at reasonable times.

72. *Death of a Juvenile or Child.* On the occurrence of any case of death or suicide in an institution the procedure to be adopted shall be as under:

(1) In the event of an unnatural death or suicide of a juvenile or child in an institution, it is imperative for the institution to ensure that an inquest and post-mortem examination is held at the earliest.

(2) In case of natural death or due to illness of a juvenile or child, the Officer-in-charge or Superintendent shall obtain a report of the Medical Officer stating the cause of death and a written intimation about the death shall be given immediately to the nearest Police Station, the Board or Committee, the National or State Commission for Protection of Child Rights, District and State Child Protection Unit or any other concerned authority and the parents or guardians or relatives of the juvenile or child.

(3) Whenever a sudden or violent death or death from suicide or accident takes place, immediate information shall be given by the Case-Worker or Probation Officer or Welfare Officer to the Officer-in-charge or Superintendent and the Medical Officer and the Officer-in-charge or Superintendent shall immediately inform the nearest Police Station, Board or Committee and parents or guardians or relatives of the deceased juvenile or child.

(4) If a juvenile or child dies within twenty four hours of his admission to the institution, the Officer-in-charge or Superintendent of the institution shall report the matter to the Station House Officer of the Police Station having jurisdiction and the District Medical Officer or the nearest Government Hospital and the parents or guardians or relatives of such juvenile or child without delay.

(5) The Officer-in-charge or Superintendent shall also immediately give intimation to nearest Magistrate empowered to hold inquests and to the Board or as the case may be the Committee.

(6) The Officer-in-charge or Superintendent and the Medical Officer at the institution shall record the circumstances of the death of the child and send a report to the concerned Magistrate, the Station House Officer of the Police Station having jurisdiction, the Committee and the District Medical Officer or the nearest Government hospital where the dead body of the juvenile or child is sent for examination, inspection and determination of the cause of death and the Officer-in-charge or Superintendent and the Medical Officer shall also record in writing their views on the cause of the death if any, and submit it to the concerned Magistrate and the Station House Officer of the Police Station having jurisdiction.

(7) The Officer-in-charge or Superintendent and the Medical Officer shall make themselves available for any inquiries initiated by the police or the Magistrate concerning the cause of death and other details regarding such juvenile or child.

(8) As soon as the inquest is held, the body shall be handed over to the parents or guardian or relatives or in the absence of any claimant, the last rituals shall be performed under the supervision of the Officer-in-charge or Superintendent in accordance with the known religion of the juvenile or child.

73. *Abuse and Exploitation of the Juvenile or Child.* (1) Every institution shall ensure that there is no abuse, neglect and maltreatment and this shall include the staff being aware of what constitutes abuse, neglect and maltreatment as well as early indicators of abuse, neglect and maltreatment and how to respond to these shall be written and displayed in the notice board.

(2) In the event of any physical, sexual or emotional abuse, including neglect of juveniles and children in an institution by those responsible for care and protection, the following action shall be taken, namely:

(a) the incidence of abuse and exploitation shall be reported by any staff member of the institution immediately to the Officer-in-charge or Superintendent on receiving such information;

(b) when an allegation of physical, sexual or emotional abuse comes to the knowledge of the Officer-in-charge or Superintendent, a report shall be placed before the Board or Committee, who in turn, shall order for special investigation;

(c) the Board or Committee shall direct the local Police Station or Special Juvenile Police Unit to register a case, take due cognizance of such occurrences and conduct necessary investigations;

(d) the Board or Committee shall take necessary steps to ensure completion of all inquiry and provide legal aid as well as counselling to the juvenile or child victim;

(e) the Board or Committee shall transfer such a juvenile or child to another institution or place of safety or fit person;

(f) the Officer-in-charge or Superintendent of the institution shall also inform the chairperson of the Management Committee and place a copy of the report of the incident and subsequent action taken before the Management Committee in its next meeting;

(g) in the event of any other crime committed in respect of juveniles or children in institutions, the Board or Committee shall take cognizance and arrange for necessary investigation to be carried out by the local Police Station or Special Juvenile Police Unit; and

(h) the Board or Committee may consult Children's Committee set up in each institution to enquire into the fact of abuse and exploitation as well as seek assistance from relevant child rights experts, mental health experts or Victim Assistance Centres in dealing with matters of abuse and exploitation of juveniles or children in an institution.

74. *Juvenile or Child suffering from dangerous diseases.*ó(1) When a juvenile or a child placed under the care of a fit person or a fit institution under the provisions of the Act, is found to be suffering from a disease or physical or mental health problems requiring prolonged medical treatment, the juvenile or the child may be sent by an order of the competent authority to an appropriate place for such period as may be certified by medical officer to be necessary for proper treatment of the juvenile or the child or for the remainder of the term for which he has to stay.

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

(3) The order of restoration of a juvenile or a child suffering from an infectious or contagious disease to his parents or guardian shall be based on the principle of best interest of the juvenile or child, keeping in mind the risk of stigmatization and discrimination and discontinuation of treatment.

75. *Leave of Absence of a Juvenile or Child.* (1) A juvenile or child in an institution may be allowed to go on leave of absence or released under supervision for examination or admission, special occasions like marriage or serious illness in the family.

(2) While the leave of absence for short period generally not exceeding seven days excluding the journey time may be recommended by the Officer-in-charge or Superintendent, but granting of such leave shall be by the Board or Committee.

(3) The parents or guardian of the juvenile or the Officer-in-charge or Superintendent on behalf of the juvenile or child may submit an application to the Board or Committee requesting for relieving the juvenile or child on leave, stating clearly the purpose for the leave and the period of leave. In case of extreme emergency like death or accident in the family, the Officer-in-charge or Superintendent may grant emergency leave to the Juvenile under intimation to the Board or Committee.

(4) While considering the application of leave of absence, the Board or Committee shall hear the juvenile or child or the parents or guardians of the juvenile or child and if the Board or Committee considers that granting of such leave is in the interest of the juvenile or child, appropriate order shall be made and the Board or Committee may call for a report from the Probation Officer or Child Welfare Officer in case the preliminary information gathered from the juvenile or child or concerned parent or guardian is not sufficient for the purpose.

(5) While issuing orders sanctioning the leave of absence or relieving under supervision, as the case may be, the competent authority shall mention the period of leave and the conditions attached to the leave order, and if any of these conditions are not complied with during the leave period, the juvenile or child may be called back to the institution.

(6) The parent or guardian shall arrange to escort the juvenile or child from and to the institution and where this is not possible, the Officer-in-charge or Superintendent may arrange to escort the juvenile or child to the place of the family and back. In case the parents or guardian is willing to arrange escort but does not have requisite financial means, the Superintendent shall arrange for the travelling expenses as admissible under the rules.

(7) If the juvenile or child runs away from the family during the leave period, the parent or guardian is required to inform the Officer-in-charge or Superintendent of the institution immediately, and try to trace the juvenile or child and if found, the juvenile or child shall be brought back to the institution immediately.

(8) If the juvenile or child is not found within twenty four hours, the Officer-in-charge or Superintendent shall report the matter to the nearest police station and missing person's bureau, but no adverse disciplinary action shall be taken against the juvenile or child and procedure laid down under the Act shall be followed.

(9) If the juvenile or child does not return to the institution on expiry of the sanctioned leave, the Board or Committee shall refer the case to police for taking charge of the juvenile and bring him back to the institution.

(10) The period of such leave shall be counted as a part of the period of stay in the institution and the time which elapses after the failure of a juvenile to return to the institution within the stipulated period, shall be excluded while computing the period of his stay in the institution.

(11) As far as possible, the Competent Authority may encourage maximum leave of absence of the juvenile or child to visit his parent or guardian in order to accentuate the rehabilitation and re-integration process.

76. *Inspection.* (1) The Government shall constitute State and District level Inspection Committee.

(2) The Inspection Committees 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 set up under rules 68 and 69 of these rules and give appropriate directions.

(3) The team shall also make suggestions for improvement and development of the institution.

(4) The team shall consist of a minimum of five members with representation from the Government, the Board and Committee, the State Commission for the Protection of Child Rights, medical and other experts, voluntary organizations and reputed social workers. The Secretary of the Department of Social Justice and the District Collector will head the State and District level committees, respectively.

(5) The inspection shall be carried out at least once in every three months.

(6) The inspection visit shall be carried out by not less than three members.

(7) The team may visit the institutions either by prior intimation or make a surprise visit.

(8) The team shall interact with the children during the visits to the institution, to determine their well-being and uninhibited feedback.

(9) The follow up action on the findings and suggestion of the children shall be taken by all concerned authorities.

(10) The action taken report, findings and suggestions from the Inspection Committee shall be sent to the State and District Child Protection Unit and the Government.

77. *Social Audit.*6(1) The Government shall monitor and evaluate the implementation of the Act annually by reviewing matters concerning establishment of Board or Committee or Special Juvenile Police Unit where required, functioning of Board or Committee or Special Juvenile Police Unit, functioning of institutions and staff, functioning of adoption agencies, child friendly administration of juvenile justice and any other matter concerning effective implementation of the Act in the State.

(2) The social audit shall be carried out with support and involvement of organizations working in the field of mental health, child care and protection and autonomous bodies like the National Institute of Public Co-operation and Child Development, Childline India Foundation, Central and State level Social Justice Boards, National Service Scheme, Institutes, Experts in the field and Universities,.

78. *Restoration and Follow-up.*6(1) A child in need of care and protection, shall be restored to his family. The prime objective of any children's home or the shelter home shall be to restore the child to his parents, his adopted parents, his foster parents, his guardians, his fit person or his fit institution (in that order). The Committee shall restore the child in need of care of protection only to whom the child came, before his admission to the children's home or the shelter home namely parents, adopted parents, foster parents, guardian, fit person or fit institution. No new person or institution shall be declared as a fit person or institution for this purpose by the Committee.

(2) The order for restoration of the juvenile or child shall be made by the Board or Committee on the basis of a fair hearing of the juvenile or child and his parents, adopted parents, foster parents or guardians, as well as on the preliminary enquiry reports of the Probation Officers directed by the Board or Committee to conduct the home study and any other relevant document or report brought before the Board or Committee for deciding the matter.

(3) The Board or Committee shall send a copy of the restoration order along with a copy of the order for escort as per Form No. XXII to the District Child Protection Unit or State Government who shall provide funds for restoration of the juvenile or child.

(4) Every restoration shall be planned for as part of the individual care plans prepared by the Case Workers or Probation Officer, as the case may be, and shall be based on the review and recommendations of the Management Committee set up under rule 68 of these rules.

(5) The police or the staff of the Institution shall accompany juveniles or children back to their family and in case of girls, female escorts shall necessarily accompany.

(6) The expenses incurred on restoration of a juvenile or child, including travel and other incidental expenses, shall be borne by the Government. The Officer-in-Charge or Superintendent shall, in appropriate cases, order the payment of T. A. and D. A. admissible to Class IV employees as fixed by the Government from time to time, by the Government or the District Child Protection Unit.

(7) When a juvenile or child expresses his unwillingness to be restored back to the family, the Board or Committee shall make a note of it in its records in writing and such juvenile or child shall not be coerced or persuaded to go back to the family, particularly if the social investigation report of the Child Welfare Officer or Probation Officer establishes that restoration to family may not be in the best interest of the juvenile or child or, if the parents or guardians refuse to accept the juvenile or child back.

(8) A follow-up plan shall be prepared as part of the individual care plans by the Child Welfare Officers or Probation Officers to be implemented during aftercare supervision assigned by the Board or Committee for a period of two years, to undertake effective restoration.

(9) A quarterly follow-up report shall be submitted to the Board or Committee by the concerned Child Welfare Officer-or-Probation Officer for a period of two years with a copy to the Officer-in-charge or Superintendent of the institution from where the juvenile or child is restored.

(10) The follow-up report shall clearly state the situation of the juvenile or child and the juvenile's or child's needs to be met by the Government in order to reduce further vulnerability.

(11) The Officer-in-charge or Superintendent shall file the follow-up report in the case-file of the juvenile or child and place the report before the Management Committee set up under rule 68 of these rules in its next meeting and send a copy to the Government.

(12) The Officer-in-charge or Superintendent shall also send a copy of the follow-up reports to the District Child Protection Unit.

(13) Where a follow-up is not possible due to unavailability of Government functionaries or non-governmental organizations, the concerned District Child Protection Unit shall provide necessary assistance and support to the concerned Board or Committee.

79. *Visitor's Book.* (1) A Visitor's Book shall be maintained, in every institution, in which the person visiting the home shall record the date and time of visit with remarks or suggestions.

(2) The Officer-in-charge or Superintendent shall forward a monthly statement of such entries to the State Child Protection Unit or Government, with such remarks as he may desire to offer in explanation or otherwise; and thereon, the designated authority shall issue such orders as he may consider necessary.

80. *Inspection Book.* Every Juvenile Justice Institution shall maintain an Inspection Book which shall comprise four columns in every page for entering - (a) date ; (b) remarks of the inspecting officer; (c) action taken by the superintendent over the remarks of the inspecting officer; and (d) remarks of the visiting superior officer.

81. *Maintenance of Registers.* The Officer in charge or Superintendent shall maintain in his office, such registers and forms, as required by the Act and as specified by these rules made thereunder and the list of registers or files or books to be maintained shall minimally comprise of:

- (a) Admission and discharge register;
- (b) Supervision register;
- (c) Medical file or medical report;
- (d) Nutrition diet file;
- (e) Stock register;
- (f) Log book;
- (g) Office order book;
- (h) Meeting book;
- (i) Cash book;
- (j) Budget statement file;
- (k) Inquiry report file;
- (l) Individual case file with individual care plan;
- (m) Children's Suggestion book;
- (n) Visitor's book;
- (o) Staff movement register;
- (p) Personal belongings register;
- (q) Minutes register of Management Committee;
- (r) Minutes register of Children's Committees;
- (s) Attendance register for staff and juveniles or children;
- (t) Inspection register; and
- (u) Furniture register.

82. *Personnel or Staff of a Home.* (1) The number of posts in each category of staff shall be fixed on the basis of capacity of the institution and the staff shall be appointed in accordance with the educational qualifications, training and experience required for each category.

(2) The institutional organizational set up shall be fixed in accordance with the size of the home, the capacity, workload, distribution of functions and requirements of programmes.

(3) The whole-time staff in a home may consist of Officer-in-charge/ Superintendent, Probation Officer (in case of Observation home or Special home), Case Workers (in case of Children's home or shelter home or after-care organization), Child Welfare Officers, Counsellor, Educator, Vocational Training Instructor, Medical Staff, Administrative Staff, Care Takers, House Father and House Mother, Child Mentors, Volunteers, Store keeper, Cook, Helper, Washer man, Sweeper, Gardener as required.

(4) The part-time staff shall include Psychiatrist, Psychologist, Occupational therapist, and other professionals as may be required from time to time.

(5) The staff of the home shall be subject to control and overall supervision of the Officer-in-charge or Superintendent who by order, shall determine their specific responsibilities and shall keep the concerned authority informed of such orders made by him from time to time.

(6) The duties and responsibilities of the staff under the Officer-in-charge or Superintendent shall be fixed in keeping with the statutory requirements of the Act.

(7) The Officer-in-charge or Superintendent and such other staff, who may be required, shall live in the quarters provided for them within the premises of the home.

(8) The suggested staffing pattern for an institution with a capacity of 100 juveniles or children could be as mentioned below:

<i>Sl. No.</i>	<i>Staff/Personnel</i>	<i>No. of Posts</i>
1	Officer-in-charge or Superintendent	1
2	Deputy Superintendent	1
3	Counsellor	2
4	Probation Officer/Case workers	4
5	Caretakers	8
6	Educators /Tuition masters	4 (part-time)
7	Doctor	1 (part time)

<i>Sl. No.</i>	<i>Staff/Personnel</i>	<i>No. of Posts</i>
8	Nurse	1
9	Store-keeper-cum-Accountant	1
10	Vocational instructor	1 (part-time)
11	Computer assistant	1 (part-time)
12	Librarian	1
13	Electrician-cum-pump-operator	1
14	Music Teacher	1 (part-time)
15	PT Instructor and Yoga Trainer	2 (part-time)
16	Cook	4
17	Ayah	2
18	Sweeper	2
19	Watchman/watchwoman	2
Total		40

(The Officer in Charge or Superintendent and Deputy Superintendent shall have a Post graduate Degree in Social Science preferably in Social Work or Psychological or Counselling. The Counsellor shall at least have a degree in Social Science with a Postgraduate Diploma in Counselling with a minimum of 2 years' experience in the field. The Probation Officer shall have a degree in Social Science. The Case worker shall preferably have a degree in Bachelor of Social Work or Psychological or Counselling. The Care Taker shall have a Degree in any Social Science.)

(9) The number of posts in the category of counsellor, case worker or Probation Officer, house father or house mother, educator and vocational instructor shall proportionally increase with the increase in the capacity of the institution.

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

CHAPTER VIII

MISCELLANEOUS

83. *Recognition of Fit Person.* 6(1) Any individual who is willing temporarily to receive a juvenile in conflict with law or child in need of care and protection for a period as may be necessary, may be recognized by the Board as a fit person after due verification of his credentials and reputation.

(2) Any individual who is willing temporarily to receive a juvenile in conflict with law for a period may make an application in Form No. XLI for a declaring him as fit person to the Board along with following documents, namely:6

(a) proof of identity (voter card or pan card or passport or driving license);

(b) proof of address indicating residence in India;

(c) health certificate by a registered medical practitioner certifying that the Applicant and spouse are not suffering from any contagious or terminal disease or any such mental or physical condition, which may prevent them from taking care of the child;

(3) Upon receiving such application the competent authority shall direct a probation officer/social worker or child welfare officer to conduct an investigation about the character, antecedents, social status and reputation or the applicant and file a home study report.

(4) After holding such inquiry as the Board deems fit for the due verification of the credentials, antecedents, social status and reputation of the applicant, the Board may declare such applicant as a fit person to receive a juvenile.

84. *Recognition as Fit Institution.*6 (1) Any registered suitable place or institution, the manager of which is willing temporarily to receive a juvenile in conflict with law for such specific period as may be necessary, may be recognized by the State Government as a fit institution on the recommendation by the Board.

(2) An institution recognized as fit institution shall,6

(a) meet the standards of care laid down in the Act and the rules;

(b) have the capacity and willingness to meet the standards of care laid down in the Act and the rules;

(c) receive and provide basic services for care and protection of the juveniles and children;

(d) prevent subjection of juvenile to any form of cruelty or exploitation or neglect; and

(e) abide by the orders of the Board.

(3) The authority for issuing the certificate of recognition shall be the Secretary to the Government.

(4) In recommending to the Government by the Board and in recognizing the institution as fit institution the Government as well as the Board shall consider the following particulars, namely:ó

(a) facilities made by the organization for the boarding and lodging, general health, educational, vocational training and treatment services;

(b) character, antecedents, social status and reputation or the applicant and in case of an association, of the office bearers of the managing committee;

(c) suitability of the applicant or association for running such an institution;

(d) reputation of any institution runs by applicant or association; and

(e) character, antecedents, social status and reputation of the members of the proposed Managing committee.

(5) Every person or association desiring his or its institution to be declared as a fit institution shall make an application to the Board along with following details and documents namely:ó

(a) a copy of the registration certificate under the (12 of 1955) Travancore Cochin Literary Scientific and Charitable Societies Registration Act 1955, or the Societies Registration Act, 1860 (Central Act 21 of 1860), or deed under the Indian Trust Act, 1882 (Central Act 2 of 1882) or any other corresponding law for the time being in force;

(b) a copy of its Memorandum of Association or Bye-laws;

(c) a list showing names and addresses of office bearers of Management Committee;

(d) a copy of its rules and regulations;

(e) list of members of the society or the association running the organization;

(f) a statement showing the status and past record of specialized childcare services provided by the organization;

(g) annual reports including audited accounts for the last three years;

(h) details of bank account of the institution;

(i) a brief statement of past record of social or public service provided by the institution;

(j) plan of the building and compound of the institution showing the area allotted to each purpose;

(k) facilities made by the organization for the boarding and lodging, general health, educational, vocational training and treatment services;

(l) details of the staff including list of professional and child care staff;

(m) a declaration to the effect that the institution shall meet the standards of care laid down in the Act and the Rules made thereunder, receive and provide basic services for care and protection of the juveniles and children, prevent subjection of juvenile or child to any form of cruelty or exploitation or neglect; and abide by the orders of the competent authority.

(6) Upon receiving such application the Board shall direct a probation officer to inquire and report about the facilities made by the person or organization for the boarding and lodging, general health, educational, vocational training and treatment services and about the character, antecedents, social status and reputation of the applicant or the office bearers of the applicant institution.

(7) Upon receiving such reports after holding such inquiry including inspection of the home, as Board deems fit for the due verification of the credentials, antecedents, social status and reputation of the applicant and the office bearers of the applicant and the facilities offered by the applicant. The Board may recommend to the Government to declare such applicant institution as a fit institution to receive a juvenile or child in need of care and protection and treatment. The Government after considering the recommendation of the Board may declare such institution as fit institution by including the same in the list in the Official Gazette.

(8) A list of fit institutions so published shall be kept in the office of the Board.

85. *Processes of Recognition of Institutions.*⁶ (1) Any organization desiring certification or recognition under the Act shall make an application to the Government. The authority for issuing the certificate of recognition shall be the Secretary to the Government. Such application for recognition as an institution under the Act shall be in **Form No. XXXVIII** of these rules together with details and documents (a) to (o) stated in sub rule (5) of rule 84 of these rules.

(2) The Government may after verifying the facilities made by the organization for the boarding and lodging, general health, educational, vocational training and treatment services may grant certification of recognition in **Form No. XXXIX** under sections 8, 9, 34, 37, and 44 of the Act, as the case may be, on the condition that the organization shall be subject to the standards or services as laid down under the Act and the rules framed thereunder, from time to time and to ensure an all round growth and development of juvenile or child placed under its charge. In granting such recognition, the Government shall consider the particulars in sub rule (4) of the rule 84 and past record of specialized childcare services provided by the organization.

(3) Any other organization desiring recognition under the Act shall make an application in Form No. XL to the competent authority, who shall after due inquiry, as provided in sub rule (6) and 7 of rule 84 submit the same to the Government for such recognition.

(4) The Government may initially recognize an institution for a period of 3 years and specialized adoption agency for a period of five years. The Government shall cause to inspect the child care Institution either through the inspection committee or through the probation officer or through District Social Justice Officer before considering its recognition as an institution or specialised adoption agency before renewal of its recognition. Recognition of an institution or adoption agency or its renewal shall not be claimed as a matter of right and would depend on the agency showing satisfactory performance and compliance of the provisions of these rules or guidelines issued by Central Adoption Resource Agency as also instructions issued by the Government authorities from time to time.

(5) The competent authority/the Government shall identify and recognize institutions providing specialized services to children with other special needs and refer the children to these institutions so that their particular needs are met. Referral services for Children with other special needs include those for physically challenged children, street children, sexually abused children, children with HIV/AIDS, children of prisoners, child prostitutes, children addicted to substances, terminally/ chronically ill children, and any others.

(6) The Government may, if dissatisfied with the conditions, rules, management of the organization certified or recognized under the Act, at any time, by notice served on the manager of the organization, declare that the recognition of the organization shall stand withdrawn as from a date specified in the notice and from the said date, the organization shall cease to be an organization recognized under sections 34, 37, 41 or 44 of the Act, as the case may be:

Provided that the concerned organization shall be given an opportunity of making a representation in writing, within a period of thirty days, against the grounds of withdrawal of recognition of that organization.

(7) The decision to withdraw or to restore the certificate or recognition of the organization may be taken, on the basis of a thorough investigation by a specially constituted advisory board under section 62 of the Act.

(8) On the report of the advisory board, the Officer-in-charge or Superintendent of the institution shall be asked to show cause so as to give an explanation within thirty days.

(9) The recognition of an institution as a specialised adoption agency may be suspended on anyone or more of the following grounds, namely:

(a) furnishing false information or forged documents to State Adoption Resource Agency or Adoption Co-ordinating Agency or the Government;

(b) adverse findings of the inspection team vis-à-vis quality child care and adequate infrastructure;

(c) professional social worker and qualified child care staff are not employed;

(d) financial irregularities or malpractices;

(e) unethical practices which would also include inducing single mothers or biological parents to relinquish their child or illegally sourcing the child; and

(f) divulging information on biological mother or parents or adopted child to public in violation of principle of confidentiality;

(10) In case of revocation of recognition of a specialised adoption agency, the Government shall, within thirty days, prepare an alternate rehabilitation plan for the children in that home, including shifting them to another specialised adoption agency.

86. *Registration under the Act.*⁶ (1) All institutions and organisations running institutional care services for children in need of care and protection, either run by the government or voluntary organization, shall get themselves registered under sub section (3) of section 34 of the Act.

(2) The authority for issuing the certificate of registration shall be the Secretary to the Government.

(3) All such institutions or agencies or voluntary organisations shall make an application in **Form No. XXXVIII** of these rules together with details and documents (a) to (m) stated in sub rule (5) of rule 84 of these rules and statement of past record of social or public service provided by the institution or organization to the Government, who shall after verifying that provisions made in the institution or organization for the care and protection of child in need of care and protection and regarding the maintenance of their physical and mental health, education, vocational training and other facilities, if any, and the scope of community rehabilitation, may issue a registration certificate in **Form XLII** to such organization under sub-section (3) of section 34 of the Act and as per rules made thereunder.

(4) The District Child Protection Unit and Government shall keep a register of such institutions, organizations and agencies in **Form XLIII** and provide the list of such agencies and the services provided by them to the competent authorities, probation officers and child welfare officers or in the website of the Department of Social Justice.

87. *Grant in aid to Recognized Organization.*⁶ (1) An organization recognized under sections 8, 9, 34, 37 or 44 of the Act may during the period when recognition is in force, may apply for grants-in-aid by the Government, for the maintenance of child in need of care and protection, received by them under the provisions of the Act, for the expenses incurred on their education, treatment, vocational training, development and rehabilitation.

(2) The grants-in-aid may be admissible, at such rates, which shall be sufficient to meet the prescribed norms, in such manner and subject to such conditions as may be mutually agreed to by both the parties and after considering the States budgetary provision.

88. *Admission of Outsiders.*⁶ (1) No stranger shall be admitted to the premises of the institution, except with the permission of the Officer-in-charge or Superintendent or Director of Social Justice.

(2) In special cases, where parents or guardians have travelled a long distance from another State or district, the Officer-in-charge or Superintendent shall allow parents or guardians entry into the premises and a meeting with their children during open hours of the institution, provided they possess proper identification and are not subjected the juvenile or child to abuse or exploitation.

89. *Identity Photos.*⁶ (1) On admission to an institution, every Juvenile or child shall be photographed; and shall be provided the school photo identity card after admission to the regular school.

(2) One photograph shall be kept in the case file of the Juvenile or child, one shall be fixed with the index card, a copy shall be kept in an album serially numbered with the negative in another album, and a copy of the photograph shall be sent to the board or Committee as the case may be, as well as to the district or State Child Protection Unit.

(3) In case of a child missing from an institution or in case of lost children received by an institution, a photograph of the child with relevant details shall be sent to the missing persons bureau and the local police station.

90. *Police Officers to be in Plain Clothes.*⁶ While dealing with a juvenile or a child under the provisions of the Act and the rules made thereunder, except at the time of arrest, the Police Officer shall wear plain clothes and not the police uniform

91. *Prohibition on the use of handcuffs and Fetters.*⁶ No child or the juvenile in conflict with law dealt with under the provisions of the Act and the rules made thereunder shall be handcuffed or fettered.

92. *Transfer.*⁶ (1) During the inquiry, if it is found that the Juvenile or child hails from a place outside the district but within the State, the Committee shall order the transfer of the juvenile or child to the competent authority, and send a copy of the order to the State and District Child Protection Unit.

(a) Provided that, no child shall be transferred or proposed to be transferred only on the ground that the child has created problems or, has become difficult to be managed in the existing institution or, is suffering from a chronic or terminal illness or, on account of disability;

(b) the reasons for and circumstances of such transfer are recorded in writing.

(2) If the child belongs to another State, the State Child Protection Unit shall arrange the transfer to the receiving centre/institution of that State having jurisdiction over the ordinary place of residence of that child and, accordingly:

(a) send the information of transfer to the appropriate competent authority or institution having jurisdiction over the area where the child is ordered to be transferred by the Committee; and

(b) send a copy of the information to the Officer-in-charge or Superintendent of the institution where the child is placed for care and protection at the time of the transfer order.

(3) On receipt of copy of the information from the State Child Protection Unit, the Officer-in-charge or Superintendent shall arrange to escort the child at Government expenses to the place or person as specified in the order.

(4) On such transfer, case file and records of the juvenile or child shall be sent along with the juvenile or child.

93. *Procedure for sending a Juvenile or Child outside the Jurisdiction of the Competent Authority.*⁶ (1) In the case of a juvenile or a child whose ordinary place of residence lies outside the jurisdiction of the competent authority, and if the competent authority considers it necessary to take action under section 50 of the Act, it shall direct a probation officer or child welfare officer having jurisdiction over the ordinary place of residence of the juvenile or child, as the case may be, to make enquiries so as to the fitness and willingness of the relative or other person to receive the juvenile or the child at the ordinary place of residence, and whether such relative or other fit person can exercise proper care and control over the juvenile or the child.

(2) Where a juvenile or child is ordered to be sent to the ordinary place of residence or to a relative or fit person, an undertaking has to be executed by the juvenile or child without any surety, in **Form No. VI**, if necessary along with an undertaking/bond by the said relative or fit person in **Form No. V** or **Form No. IX** as the case may be.

(3) Any breach of a bond or undertaking or of both given under sub rule (2) of this rule, shall render the juvenile liable to be brought before the competent authority, who may make an order directing the juvenile to be sent to an institution.

(4) Any juvenile or a child, who is a foreign national and who has lost contact with his family shall also be entitled for protection.

(5) The juvenile or the child, who is a foreign national, shall be repatriated, at the earliest, to the country of his origin.

(6) The Board or Committee shall keep the Ministry of External Affairs informed about repatriation of every juvenile or child of foreign nationality carried out on the orders of the Board or Committee.

(7) A copy of the order passed by the competent authority under section 50 of the Act shall be sent to

(a) the Probation Officer who was directed to report under sub-rule (1) of this rule;

(b) the Probation Officer having jurisdiction over the place where the juvenile or the child is to be sent;

(c) the competent authority having jurisdiction over the place where the juvenile or the child is to be sent; and

(d) the relative or the person who is to receive the juvenile or the child.

(8) During the pendency of the order under sub rule (6) of this rule, the juvenile or the child shall be sent by the competent authority to an observation home or children's home as the case may be.

(9) Where the competent authority considers it expedient to send the juvenile or the child back to his ordinary place of residence under section 50 of the Act the competent authority shall inform the relative, fit person who is to receive the juvenile or the child accordingly; and shall invite the said relative or fit person to come to the institution where the child is kept, to take charge of the juvenile or the child on such date, as may be specified by the competent authority.

(10) If the relative/fit person fails to come to take charge of the juvenile or the child on the specified date, the juvenile or the child shall be taken to his ordinary place of residence by the escort of the home, and in the case of a girl, at least one escort shall be a female.

(11) If during the pendency of the enquiry if the child is transferred to an institution outside the jurisdiction of the Committee, all the files relating to the child also is to be transferred to the Child Welfare Committee having jurisdiction over the place of such transfer for further enquiry.

(12) The child admitted/transferred to a children's home which is situated outside the jurisdiction of the Child Welfare Committee, for a period, the Committee who transferred the child is responsible for monitoring the individual care plan of the child.

(13) In no circumstances, the child who is physically unwell need to be produced before the Committee and dispense with the requirement of the child to be present during enquiry.

94. *State Child Protection Unit.*⁶ The specific functions of the State Child Protection Unit headed by the Director of Social Justice shall include, namely:⁶

(a) implementation of the Act and supervision and monitoring of agencies and institutions under the Act;

(b) set up, support and monitor the District Child Protection Units;

(c) represent State Child Protection Unit as a member in the Selection Committee for appointment of members of Boards and Committees;

(d) make necessary funds available to the District Child Protection Units for providing or setting up required facilities for the implementation of the Act;

(e) network and co-ordinate with all Government Departments and with universities, sports council, child line, special protection groups in schools, alternative to violence project. Bharat Scouts and Guides, parent teacher associations and corporate bodies on child protection issues;

(f) network and co-ordinate with civil society, residential associations, local self governments, national and international voluntary organisations working for the effective implementation of child protection;

(g) training and capacity building of all personnel (government and non-government) working under the Act and to the other stake holders;

(h) establish minimum standards of care and ensure its implementation in all institutions set up under the Act;

(i) organize research, survey, publication and studies on issues relating to child rights;

(j) monitor and review of the functioning of Committees; and

(k) all other functions necessary for effective implementation of child rights under the Act.

95. *District Child Protection Unit.* 6 (1) The District Child Protection Unit headed by the District Collector or an officer designated by him shall co-ordinate and implement all child rights and protection activities at district.

(2) The specific functions of the District Child Protection Unit shall include the following, namely: 6

(a) ensure effective implementation of the Act at district level by supporting creation of adequate infrastructure, such as, setting up Boards, Committees, Special Juvenile Police Units and homes in each districts;

(b) identify families at risk and children in need of care and protection;

(c) assess the number of children in difficult circumstances and creating district-specific databases to monitor trends and patterns of children in difficult circumstances;

(d) periodic and regular mapping of all child related services at district for creating a resource directory and making the information available to the Committees and Boards;

(e) implement family based non-institutional services including sponsorship, foster care, adoption and after care;

(f) ensure setting up of District, Block and Village level Child Protection Committees for effective implementation of programmes as well as discharge of its functions;

(g) facilitate transfer of children at all levels for either their restoration to their families or placing the child in long or short-term rehabilitation through institutionalization, adoption, foster care and sponsorship;

(h) supporting State Adoption Resource Agency in implementation of family based non-institutional services at district level;

(i) network and co-ordinate with all government departments to build inter-sectoral linkages on child protection issues, including Departments of Health, Education, Social Justice, Urban Basic Services, Backward Classes & Minorities, Youth Services, Police, Judiciary, Labour, State AIDS Control Society, among others;

(j) network and co-ordinate with civil society organizations working under the Act;

(k) develop parameters and tools for effective monitoring and supervision of agencies and institutions in the district in consultation with State Child Protection Units;

(l) supervise and monitor all institutions or agencies providing residential facilities to children;

(m) train and build capacity of all personnel (government and non-government) implementing the Act to provide effective services to children;

(n) organize quarterly meeting with all stakeholders including childline, specialised adoption agencies, Officer-in-charge or Superintendents of Children's homes, non-governmental organisations and members of public to review the progress and implementation of the Act; and

(o) liaison with the State Child Protection Unit, State Adoption Resource Agency at State level and District Child Protection Units of other districts.

96. *Setting of the Child Welfare Committee.* 6(1) The Government shall set up by notification in Official Gazette Child Welfare Committees under section 29 of the Act in every district with requisite infrastructure, personnel, and finances for smooth running, as listed below:

(a) the infrastructure shall consist of a sitting hall, a separate room for the Committee, room for office staff, waiting room for children and parents or guardian, a record room, safe drinking water facility and toilets;

(b) the Government shall provide necessary human resource support for every Committee, including welfare officer, a probation officer or case worker, computer assistant, peon or a sweeper.

(2) The allowances of the Chairperson and Members shall be disbursed by the State Child Protection Unit, as per rule 27 of these rules.

97. *Setting up of Juvenile Justice Board.* 6(1) The Government shall set up by notification in the Official Gazette, Juvenile Justice Board in every district, with requisite infrastructure, personnel, besides the Principal Magistrate and Members as listed below:

(a) Infrastructure shall consist of a Board Room, waiting room for juveniles and parents or guardians, a room for Principal Magistrate and Members, a record room with safe lockers and computers safe drinking water facility and toilets;

(b) The Government shall provide necessary human resource support for every Board, including Probation Officer and computer assistant.

98. *Special juvenile Police Units.* 6(1) The Government shall appoint a Special Juvenile Police Unit at the district level; and the unit shall be headed by a Superintendent of Police, and consisting of a Deputy Superintendent of Police, Women Circle Inspector, four Police Head Constables and two Social Workers having field experience in child welfare, of whom one shall be a woman.

(2) The Government shall provide the services of two social workers to the Special Juvenile Police Unit or district level Juvenile Police Station for discharging their duties;

(3) The Juvenile or Child Welfare Officer at the police station shall be a person with aptitude and appropriate training and orientation to handle the cases of juveniles or children in terms of the provisions of the Act and he need not be the station house officer.

(4) Special Juvenile Police Unit at district level shall co-ordinate and function as a watch-dog for providing legal protection against all kinds of cruelty, abuse and exploitation of child or juvenile.

(5) The unit shall take serious cognizance of adult perpetrators of crimes against children and see to it that they are without delay apprehended and booked under the appropriate provisions of the law and for this purpose the district level units shall maintain liaison with other units of police station.

(6) The Special Juvenile Police Units shall seek assistance from the parent teacher associations or gramsabhas or resident welfare associations or other agencies in identifying juveniles in conflict with law as well as reporting cases of offences against children, child neglect and abuse.

(7) The Special Juvenile Police Units shall particularly seek assistance from recognized social workers and local police stations at the time of apprehension, in preparing necessary reports, for taking charge of juveniles until production and at the time of production before the Board as per rule 12 (12) of these rules.

(8) A nodal officer from police not less than the rank of Inspector General of Police shall be designated in the State to co-ordinate and upgrade role of police on all issues pertaining to care and protection of children or juveniles under Act.

(9) The Special Juvenile Police Units may organise awareness programmes through School protection groups; group counselling and experiential workshops to school children.

99. *Honorary or Voluntary Probation Officers.*⁶ To augment the existing probation service, honorary or voluntary probation officers may be appointed under the provisions of the Probation of Offenders Act, 1958 and rules framed thereunder.

100. *Duties of the Officer-in-charge or Superintendent of an Institution.*⁶ (1) The Officer-in-charge or Superintendent shall have the primary responsibility of maintaining the institution and shall stay within the institutional premises to be readily available as and when required by the juveniles or children and the staff and in case where an accommodation is not available within the institutional premises, the Officer-in-charge or Superintendent shall stay at a place in close proximity to the institution till such time that such an accommodation is made available within the institution.

(2) The general duties and functions of the Officer-in-charge or Superintendent shall include:

(a) compliance with provisions of the Act and the rules and orders made there under;

(b) providing homely atmosphere based on love, affection, care development and welfare for the child or Juvenile.

(c) maintaining minimum standards of care in the institution;

(d) proper maintenance of buildings and premises;

(e) security measures and periodical inspection, including daily inspection and rounds of the institution, proper storage and inspection of food stuffs as well as food being served;

(f) supervision and monitoring of juveniles¹ or children² discipline and well being;

(g) planning, implementation and co-ordination of all institutional activities, programmes and operations, including training and treatment programmes or correctional activities;

(h) prompt action to meet emergencies;

(i) ensuring accident and fire preventive measures within the institutional premises;

(j) stand-by arrangements for water storage, power plant, emergency lighting;

(k) careful handling of plants and equipments;

(l) segregation of a juvenile or child suffering from contagious or infectious diseases; and organize routine medical check-up.

(m) observance and follow-up of daily routine;

(n) filing of monthly report of juvenile or child in the case file;

(o) filing of monthly statistical returns regarding the institution in the prescribed performa in **Form No. XLIV** which includes all the bio-data of the newly admitted juvenile or child to the Director of Social Justice;

(p) organize local and national festivals and birthday celebrations of each children in the institution;

(q) organize trips or excursions or picnics, balamela, children's fest for juveniles or children;

(r) preparation of budget and control over financial matters;

(s) allocation of duties to personnel;

(t) supervision over office administration, including attending to personnel welfare ;

(u) prompt, firm and considerate handling of all disciplinary matters;

(v) organize the meetings of the Management Committee set up under rule 68 of these rules and provide necessary support;

(w) maintenance of all records and registers required under the Act and the Rules and verification of the same by the Management Committee set up under rule 68;

(x) liaison co-ordination and co-operation with the District and State Child Protection Unit or Government as and when required; and provide all necessary help and assistance to the Child Welfare Committee and Juvenile Justice Board for their proper sitting; and

(y) co-ordination with the legal officer in the District Child Protection Unit to ensure that every juvenile is legally represented and provided free legal aid and other necessary support or, where the District Child Protection Unit has not been set up, services of the District or State Legal Services Authority shall be made available.

101. *Duties of Deputy Superintendent.* 6 (1) The duties and responsibilities of Deputy Superintendent will be as follows:

(a) custodian of placement orders and copy of the individual care plan;

(b) supervision of food preparation, food distribution and maintenance of related records;

(c) to conduct open house meeting with children and staff to encourage children participating in the activities;

(d) to conduct interviews with parents of children and regulate communication of children with outsiders;

(e) to facilitate the children to participate in seminars, cultural programmes, meetings etc;

(f) to monitor the application of positive reinforcement/cognitive restructuring prepare a status report in consultation with the house parents or wardens;

(g) to monitor the supply of external eatables if any supplied to children by parents;

(h) custodian of clothing and bedding being supplied to children home;

(i) organization of camps, picnics, cultural programmes, extra-curricular activities like Scouts, Red Cross work;

(j) to see that the protective and developmental rights of children are ensured;

(k) ensuring that the children's need of food and cloth are met as per standard;

(l) ensuring the cleanliness of the premises and maintenance of physical infrastructure including provisions of water and electricity ;

(m) to take measures at least six months in advance from the date of release to call for the pre-release report regarding a juvenile or child from the probation officer having jurisdiction through the Director of Social Justice Department ; and

(n) any other duties and responsibilities assigned by the Officer-in-charge or Superintendent.

102. *Duties of Deputy Superintendent as Head Master.*6 (1) The following are the duties of the head masters, namely:6

- (a) to prepare the time table for academic activities;
- (b) to organize sports activities for the physical and personality development of children;
- (c) to identify the slow learners and initiate appropriate measures to overcome the problems in consultation with the professionals and the Officer-in-charge or Superintendent of the institutions;
- (d) to scrutinize the performance of teachers and guide them for better performance;
- (e) to advice the Officer-in-charge or Superintendent of the institutions to initiate new concept in the educational programmes including the training of teachers;
- (f) to maintain individual performance sheet in respect of teachers and advice the class teachers to maintain such performance sheet in respect of children; and
- (g) any other duties and responsibilities assigned by the officer or superintendent.

103. *Duties of a Probation Officer or Child Welfare Officer or Case Worker.*6 (1) Every probation officer or child welfare officer or case-worker shall carry out all directions given by the Board or Committee or concerned authority and shall perform the following duties, functions and responsibilities, namely:6

- (a) making social investigation of the juvenile through personal interview and from the family, social agencies and other sources; and home study report in adoption cases.
- (b) attending the proceedings of the Board or Committee and submitting reports as and when required;
- (c) clarifying problems of the juvenile or the child and dealing with their difficulties in institutional life;
- (d) participating in the orientation, monitoring, education, vocational and rehabilitation training;
- (e) establishing co-operation and understanding between the juvenile or the child and the Officer-in-charge or Superintendent;

(f) assisting the juvenile or the child to develop contacts with family and also providing assistance to family members;

(g) developing a care plan for every child in consultation with the juvenile or child and the Officer-in-charge or Superintendent; and following up its implementation;

(h) participating in the pre-release programme and helping the juvenile or the child to establish contacts which can provide emotional and social support to juvenile or child after their release;

(i) establishing linkages with voluntary workers and organizations to facilitate rehabilitation and social reintegration of juveniles and to ensure the necessary follow-up;

(j) follow-up supervision of juveniles after their release and extending help and guidance;

(k) visiting regularly the residence of the juvenile or child placed under their supervision and also places of employment or school attended by such juvenile or child and submitting monthly reports in **Form No. XXI**;

(l) accompanying juveniles or children where ever possible, from the office of the Board to observation home, special home, children's home or fit person, as the case may be; and

(m) maintaining case file and such registers as may be specified from time to time.

(2) On receipt of information from the Police or Juvenile or Child Welfare Officer of the Police under clause (b) of section 13 of the Act, the probation officer shall inquire into the antecedents and family history of the juvenile or the child and such other material circumstances, as may be necessary and submit a social investigation report as early as possible, in Form IV to the Board.

104. *Duties of Caretaker.* 6 (1) The general duties, functions and responsibilities of a house father, house mother and other care takers shall be as follows, namely:6

(a) handling the children with love and affection to help them to develop a balanced personality;

(b) taking proper care and welfare of juvenile or child for their diet and education;

(c) maintaining discipline among the juveniles or children for moral development;

(d) maintenance, sanitation and hygiene for physical development;

(e) implementation of daily routine with the involvement of children;

(f) looking after the security and safety arrangements of the home;

(g) giving guidance to children's committees to empower/gain confidence;

(h) escorting juveniles or children, whenever they go out of the home;

(i) any other work assigned to them by the Officer-in-charge or Superintendent;

(j) accompanying juveniles or children where ever possible, from the office of the Board to observation home, special home, children's home or fit person, as the case may be;

(k) maintaining case file and such registers as may be specified from time to time; and

(l) maintaining case files in the absence of caseworker.

105. *Disqualification for Officer-in-charge or Superintendent, Probation Officer or Child Welfare Officer or Case Worker, Care Takers and other Staff.* 6 (1) The Officer-in-charge or Superintendent, probation officer or case-worker, care takers and other staff shall not employ a juvenile or child under their supervision or care and protection for their own purposes or take any private service from them.

(2) Any report of physical, sexual or emotional abuse of a juvenile or a child by a care taker or caregiver, shall hold them liable for disciplinary action/prosecution after due inquiry.

106. *Training of Personnel.* 6 (1) The Government shall impart training to personnel of each category of staff, in keeping with their statutory responsibilities and specific jobs requirements.

(2) The training programme shall include:

(a) orientation and induction training of the newly-recruited staff;

(b) refresher and skill enhancement training for all care takers once a year; and

(c) periodic staff conferences, seminars and workshops ;

(3) The Government with the help of the State Child Protection Unit, National Institute of Public Co-operation and Child Development and its Regional Centres shall organize regular training and capacity building of personnel involved in the implementation of the Act and the rules made thereunder.

(4) The Department of Social Justice shall develop a Nodal Expert Group to organise different training programmes for the functionaries of juvenile justice administration. It may include organising seminars, workshops, pre-service training, in-service training, specialized training on counselling and guidance, interview skills, collection of data, case work methods etc. The training centre shall conduct short term training courses/diploma courses on child rights, counselling and guidance, case work, soft skills, correctional interview, communication skills, conflict resolution, personnel management etc., for the benefit of personnel who form the integral part of the juvenile justice administration of the State including Chairman and Members of the Juvenile Justice Board, Child Welfare Committee, Special Juvenile Police Unit, representatives of people, social workers, students, judiciary, lawyers, media persons etc.

A. In-service training:

The following personnel in the department headquarters organization/district level organization shall undergo pre-service training as detailed below:

<i>Serial No.</i>	<i>Category of Staff</i>	<i>Duration of training</i>	<i>Subject of Training</i>	<i>Department/Authority under which training is to be done</i>
(1)	(2)	(3)	(4)	(5)
1	Care taker	One week	Security measures	Superintendent of Police/Commissioner of Police
		One week	Combating riots, emergency situations, rescue and relief operation etc.	Fire and Rescue Department

(1)	(2)	(3)	(4)	(5)
		One week	Juvenile Justice Act, Rules, regulation, duties and responsibilities Child Rights Convention etc.	Superintendent of Children's Home
		One week	First aid, crisis management during epidemic, personal hygiene, sanitation	District Medical Officer
2	Superintendent/ Deputy Superintendent of Institution Councilor and case worker	Two weeks	(a) Child Rights Convention, Information gathering analysis and report writing (b) Juvenile Justice Act and Rules with Special reference with the duties attached to each category (c) UN Standard Minimum Rules for the administration of Juvenile Justice	Joint Director of Social Justice, in charge of Juvenile Justice

B. Special and Departmental Tests

The following personnel who are appointed directly or by transfer from other services shall pass the following departmental tests and special tests to perform their duties and functions effectively within a period of two years or within the period of probation or within such period of time as may be extended as per rules framed from time to time as detailed below:

<i>Serial No.</i>	<i>Category of Staff</i>	<i>Duration of test</i>	<i>Subject of test</i>	<i>Department/Authority under which test is to be done</i>
(1)	(2)	(3)	(4)	(5)
1	Care taker	Part I- Two Hours	(1) Juvenile Justice Act 2000 and the rules framed there under (without books)	
		Part II- Two Hours	(1) UN Standard Minimum Rules for the administration of Juvenile Justice (without books)	
			(2) UN Convention on the Rights of Child (without books)	
			(3) UN Rules for the protection of Juvenile deprived of liberty (without books)	
2	Superintendent/ Deputy Superintendent Councilor and case worker	Part I- Two Hours	(1) UN Standard Minimum Rules for the administrative of Juvenile Justice (without books)	
			(2) UN Convention on the Rights of Child (without books)	
			(3) UN Rules for the protection of Juvenile deprived of liberty (without books)	

(1)	(2)	(3)	(4)	(5)
		Part II- Two Hours	1. Juvenile Justice Act, 2000 and Rules framed there under (without books)	
			2. The Immoral Traffic (Prevention) Act, 1956 and rules framed there under (without books)	
			3. The Protection of Children Offences Act, 2012 (Central Act 32 of 2012)	

In addition to the above, the officers concerned shall pass obligatory departmental test such as MOP, Account test (lower) during the period of Probation. The provisions of Kerala Service Rules shall apply to persons appointed directly or by transfer in matters relating to probation.

107. *Selection/Search Committee and its Composition.* 6 (1) The Government shall constitute a Selection/Search Committee by notification in the Official Gazette, for the selection of the members or the Juvenile Justice Board and Child Welfare Committee shall consist of the following members, namely: 6

(a) a retired judge of High Court, or retired Chief Secretary/ Additional Chief Secretary as the Chairperson;

(b) The Director of Social Justice, as the Member Secretary.

(c) Three eminent persons in the field of health, education, law and Juvenile Justice, child rights and correctional field nominated by the Government;

(d) a representative of the State Commission for Protection of Child Rights; and

(e) a representative of the State Commission for women.

(2) The Selection/Search Committee shall be deemed to be a Class I Committee of Government for all purposes.

(3) The Selection/Search Committee shall have a tenure of three years or till a new Committee is constituted.

108. *Functions of the Selection/Search Committee.*⁶ (1) The Selection/Search Committee shall select and recommend a panel of names with bio-data of five persons for Juvenile Justice Board for each District and ten persons for Child Welfare Committee for each District to the Government for appointment as members of the Board or Committee from amongst the applications received in response to a public advertisement or in a search made by itself. The list so prepared shall be used by the Government for filling up vacancies if any arise, during the tenure of the Board or Committee.

109. *Advisory Boards.*⁶ (1) The Government shall constitute Advisory Board at State and district levels for a period of three years;

(2) These Advisory Boards shall inspect the various institutional or non-institutional services in their respective jurisdictions; and the recommendations made by them, shall be acted upon by the Government.

(3) All the Advisory Boards shall hold at least two meetings in a year.

(4) These Advisory Boards shall inspect the various institutional or non-institutional services in their respective jurisdictions; and the recommendations made by them, shall be acted upon by the Central Government and the State Government.

(5) The Government through the Department of Social Justice shall set up the State Advisory Board to be headed by the Minister concerned and shall consist of the Secretary of the department aforesaid, representatives from concerned departments of Government, representative members from the competent authority, leading non-governmental organisations, experts in child or juvenile care, children's institution and academic institutions as members.

(6) The Director of the Department of Social Justice shall function as the Member Secretary of the State Advisory Board.

(7) The District/City Level Inspection Committee constituted under Rule 77 of these rules shall function as the District and City Level Advisory Boards.

(8) The termination or other vacancy caused in an advisory board and appointment of new members therein shall be done in the same manner as is done in case of the competent authority.

110. *Openness and Transparency.* 6 (1) All children's homes shall be open to visitors with the permission of the Officer-in-charge or Superintendent and the Committee as the case may be, may consider appropriate to allow representatives of local self government, voluntary organizations, social workers, researchers, medicos, academicians, prominent personalities, media and any other persons as visitors, as the Superintendent considers appropriate keeping in view the security, welfare and the interest of the children.

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

(3) The Superintendent shall maintain a visitor's book and the remarks of the visitors given therein shall be considered by the advisory inspecting authority.

(4) While visiting an institution, the visitors will not say or do anything that undermines the authority of the Officer-in-charge or Superintendent is in contravention of the Act or rules or impinges on the dignity of the children.

(5) The visitors may be allowed to visit observation homes and special homes with the permission of the competent authority or the Officer-in-charge or Superintendent or Director of Department of Social Justice.

111. *Juvenile Justice Fund.* 6 (1) The Government shall create a Fund at the State level under section 61 of the Act to be called the 'Juvenile Justice Fund' (herein under referred to as the Fund) for the welfare and rehabilitation of the juvenile or the child.

(2) In addition to donations, contributions or subscriptions coming under sub-section (2) of section 61 of the Act, the State and Central Governments, shall also make contribution to the Fund.

(3) The Fund shall be applied:

(a) to implement programmes for the welfare, rehabilitation and restoration of juveniles or children;

(b) to meet the expenses of the State Advisory Board and the Selection Committee and their purposes; and

(c) to do all other things that are incidental and necessary for the above purposes.

(4) The management and administration of the Fund shall be under the control of the State Advisory Board under sub-section (3) of section 61 of the Act.

(5) The assets of the Fund shall include all such grants and contributions, recurring or nonrecurring, from the Central Government and State Government or any other statutory or non statutory bodies set up by the Central or State Government as well as the voluntary donations from any individual or organization.

(6) All withdrawals shall be made by cheques or requisitions, as the case may be and signed by the secretary-cum-treasurer.

(7) The regular accounts shall be kept for all money and properties, and all incomes and expenditure of the Fund and shall be audited by recognized authorities.

(8) The auditors shall also certify the expenditure from the Fund made by the secretary-cum-treasurer.

(9) All contracts and other assurances shall be in the name of the board of management and signed on their behalf by the secretary-cum-treasurer and one member of the board of the management authorised by it for the purpose.

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

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

112. *Pending Cases.*⁶ (1) No juvenile in conflict with law or a child shall be denied the benefits of the Act and the rules made thereunder.

(2) All pending cases which have not received finality shall be dealt with and disposed of in terms of the provisions of the Act and the rules made thereunder.

(3) Any juvenile in conflict with law, or a child shall be given the benefits under sub rule (1) of this rule, and it is hereby clarified that such benefits shall be made available to all those accused who were juvenile or a child at the time of commission of an offence, even if they cease to be a juvenile or a child during the pendency of any inquiry or trial.

(4) While computing the period of detention or stay or sentence of a juvenile in conflict with law or of a child, all such period which the juvenile or the child has already spent in custody, detention, stay or sentence of imprisonment shall be counted as a part of the period of stay or detention or sentence of imprisonment contained in the final order of the Court or the Board.

113. *Disposed of cases of juveniles in conflict with law.*⁶ (1) The Government or as the case may be the Board may, either suo motu or on an application made for the purpose, review the case of a person or a juvenile in conflict with law, determine his age in terms of the provisions contained in the Act and rule 19 of these rules and pass an appropriate order in the interest of the juvenile in conflict with law under section 64 of the Act, for the immediate release of the juvenile in conflict with law whose period of detention or imprisonment has exceeded the maximum period provided in section 15 of the said Act.

114. *Disposal of Records or Documents.*⁶ (1) The records or documents in respect of a juvenile in conflict with law who has been convicted, need not be retained beyond a period of seven years.

FORM I

[See rule 13(2)(c)]

SUPERVISION ORDER

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

Profile/ Case ÖÖÖÖÖ. No of ÖÖ.

Whereas ÖÖÖÖÖ.. (name of the juvenile) has this day alleged to have committed an offence and has been placed under the care of (name) ÖÖÖÖÖÖÖÖÖÖ. (address) ÖÖÖÖÖÖÖÖÖ on executing a bond by the said ÖÖÖÖÖÖÖÖ... and the Board is satisfied that it is expedient to deal with the said juvenile by making an order placing him/her under supervision.

It is hereby ordered that the said juvenile be placed under the supervision of probation officer/case worker ÖÖÖÖÖ, for a period of subject to the following conditions:ó

1. that the juvenile along with the copies of the order and the bond executed by the said ÖÖ.....ÖÖÖ..shall be produced before the probation officer/case worker named therein ÖÖÖÖÖ. ;
2. that the juvenile shall be submitted to the supervision of the aforesaid probation officer / case worker ;
3. that the juvenile shall reside at ÖÖÖÖÖÖÖÖ.. for a period of . ÖÖÖÖÖÖÖÖÖÖÖÖ ;
4. that the juvenile shall not be allowed to quit the district of without the permission of the probation officer/case worker ;
5. that the juvenile shall not be allowed to associate with bad characters;
6. that the juvenile shall live honestly and peacefully; and will go to school regularly / endeavour to earn an honest livelihood;
7. that the juvenile shall attend the attendance centre regularly;

8. that the person under whose care the juvenile is placed shall arrange for the proper care, education and welfare of the juvenile ;
9. that the preventive measures will be taken by the person under whose care the juvenile is placed to see that the juvenile does not commit any offence punishable by any law in India;
10. that the juvenile shall be prevented from taking narcotic drugs or psychotropic substances or any other intoxicants; and
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.

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

Dated this day of ÖÖÖÖÖÖÖÖÖÖ..

(Signature)

Principal Magistrate Juvenile Justice Board.

FORM II

[See rules 13(2)(d) and 15(15)]

ORDER OF DETENTION UNDER SUB-SECTION 10(1) OF
SECTION 15 OF THE JUVENILE JUSTICE (CARE AND
PROTECTION OF CHILDREN) ACT 2000

To

The Officer-in-Charge/Superintendent

.....

Whereas on the day of 20..... (name of the juvenile), son/ daughter of....., aged, residing at..... being found in Profile No..... to be juvenile in conflict with law /under section..... is ordered by me, Principal Magistrate, Juvenile Justice Board under section of Juvenile Justice Act, 2000 to be kept in the observation home/ special home/ for a period of..... This is to authorize and require you to receive the said juvenile; into your charge, and to keep him/her in the observation home/ special home/ for the aforesaid order to be carried into execution according to law.

Given under my hand and the seal of Juvenile Justice Board
This day of 20.....

(Signature)

*Principal Magistrate, Juvenile Justice Board.**Encl:*

Copy of the judgment, if any, or orders, particulars of home and case history and individual care plan, if any:

Strikeout which is not required.

FORM III

[See rules 13(2) (e) and 13 (7)]

ORDER OF SOCIAL INVESTIGATION

To

Probation Officer/Case Worker/Person-in-charge of Voluntary Organization

Whereas a report/complaint under sectionof the Juvenile Justice (Care and Protection of Children) Act, 2000 has been received from..... in respect of (name of the juvenile), son/daughter ofapproximate age residing atwho has been produced before the Board.

You are hereby directed to enquire into the social antecedents, family background and circumstances of the alleged offence by the said juvenile and submit your social investigation report on or before..... or within such time allowed to you by the Board.

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

Dated this day of

(Signature)

Principal Magistrate, Juvenile Justice Board.

FORM IV

[See rules 13(7) and 103 (2)]

SOCIAL INVESTIGATION REPORT

S1. No .

Submitted to

The Juvenile Justice Board

(address)

(Probation Officer, Department of Social Justice

.....Signature and Stamp)

Profile No. :

Under section:

Title of Profile:

Police Station:

Nature of offence charged :

Name:

Religion :

Father's Name:

Caste:

Permanent Address:

Age and Date of birth:

Last address before apprehension:

age:

sex :

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

FAMILY HISTORY

Members of family	Name	Age	Health	Education	Occupation	Monthly earnings	Disabilities	Any other e. g. social habits
Father								
Step father								
Mother								
Step mother								
Siblings								
Any other legal guardian/relative								

If married, relevant particulars

Other near relatives or agencies interested

Attitude towards religion normal and ethical code of the home etc.
.....

Social and economic status.....

Delinquency record of members of family.....

Present living conditions

Relationship between parents/parents and children especially with the juvenile under investigation

Other factors of importance, if any.....

JUVENILE'S HISTORY

Mental condition (present and past)

Physical condition (present and past).....

Habits, interests (moral, recreational etc.).....

Outstanding characteristics and personality traits.....

Companions and their influence

Truancy from home, if any

School (attitude towards school, teachers, class mates and vice-versa)
 ÖÖÖÖÖÖÖÖÖÖÖÖ...

Work record (Jobs held, reasons for leaving, vocational interests, attitude
 towards job or employers) .ÖÖÖÖÖÖÖÖÖÖ

Neighbourhood and neighboursí report ÖÖÖÖÖÖÖÖÖÖ

Parentís attitude towards discipline in the home and childís reaction
 ÖÖÖÖÖÖÖÖÖÖÖÖÖÖ...

Any other remarks ..ÖÖ....

RESULT OF INQUIRY

Emotional factors ÖÖÖÖÖÖÖÖÖÖ

Physical conditionÖÖ

Intelligence ÖÖÖÖÖÖÖÖÖÖ

Social and economic factorsÖÖÖ

Religious factors ÖÖÖÖÖÖÖÖÖÖ

Suggested causes of the problems ÖÖÖÖÖÖÖÖÖÖÖÖ

Analysis of the case including reasons for delinquency ÖÖÖ

Opinion of experts consulted ÖÖÖÖÖ

Recommendation regarding treatment and its Plan by Probation Officer
 ÖÖÖÖÖÖÖÖÖÖÖÖ

Signature of the Probation Officer/Case Worker.

FORM V

[See rules 15(7) and 93(2)]

UNDERTAKING/BOND TO BE EXECUTED BY A PARENT/GUARDIAN/
RELATIVE/FIT PERSON IN WHOSE CARE A JUVENILE IS PLACED

Whereas I being the parent, guardian, relative
or fit person under whose care

(name of the juvenile) has been ordered to be placed by the Juvenile Justice Board..... have been directed by the said Board to execute an undertaking/bond with surety in the sum of ` (Rupees.....) or without surety. I hereby bind myself on the saidbeing placed under my care. I shall have the saidproperly taken care of and I do further bind myself to be responsible for the good behaviour of the said.....and to observe the following conditions for a period of..... years with effect from

1. that I shall not change my place of residence without giving previous intimation in writing to the Juvenile Justice Board through the probation officer/case worker;
2. that I shall not remove the said juvenile from the limits of the jurisdiction of the Juvenile Justice Board without previously obtaining the written permission of the Board;
3. that I shall send the said juvenile daily to school/to such vocation as is approved by the Board unless prevented from so doing by circumstances beyond control;
4. that I shall send the said juvenile to an Attendance Centre regularly unless prevented from doing so by circumstances beyond my control;
5. that I shall report immediately to the Board whenever so required by it;
6. that I shall produce the said juvenile in my care before the Board, if he/she does not follow the orders of Board or his/her behaviour is beyond control;
7. that I shall and observe the instructions of the Probation Officer;

8. in the event of my making default herein, I undertake to produce myself before the Board for appropriate action or bind myself, as the case may be, to forfeit to Government the sum of ` (Rupees.....)

Dated thisÖÖÖÖ. day ofÖÖÖÖÖÖ 20.

Signature of person executing the Undertaking/Bond

(Principal Magistrate, Juvenile Justice Board).

Additional conditions, if any, by the Juvenile Justice Board may be entered numbering them properly; (Where a bond with sureties is to be executed add)

I/We ÖÖÖÖÖÖof ÖÖÖÖÖÖ..(place of residence with full particulars)hereby declare myself/ourselves as surety/sureties for the aforesaid (name of the person executing the undertaking/bond) to adhere to the terms and conditions of this undertaking/bond. In case of (name of the person executing the bond) making fault therein, I/we hereby bind myself/ourselves jointly or severally to forfeit to government the sum of ` Ö Ö Ö . (RupeesÖÖÖÖÖÖÖÖÖÖÖÖÖÖÖÖ..)

Dated this theday of20..... in the presence ofÖÖÖÖ..

Signature of Surety (ies)

Signed before me

Principal Magistrate, Juvenile Justice Board.

FORM VI

[See rules 15(8) and 93(2)]

PERSONAL UNDERTAKING BY JUVENILE/CHILD

Personal Bond to be signed by juvenile/child who has been ordered under clause of sub-sectionof section of the Act.

Whereas I inhabitant of..... (give full particulars such as house number, road, village/town, tehsil, district, state)have been ordered to be sent back/restored to my native place by the Juvenile Justice Board/Child Welfare..... Committee under sectionof the Juvenile Justice (Care and Protection of Children) Act, 2000 on my entering into a personal bond under sub-rule..... of rule and sub-rule..... of rule..... of these Rules to observe the conditions mentioned herein below. Now, therefore, I do solemnly promise to abide by these conditions during the period

I hereby bind myself as follows:

1. that during the period.....I shall not ordinarily leave the.....village/town/district to which I am sent and shall not ordinarily return to or go anywhere else beyond the said district without the prior permission of the Board/Committee;
2. that during the said period I shall attend school/vocational training in the village/town or in the said district to which I am sent; and
3. that in case of my attending school/vocational training at any other place in the said district, I shall keep the Board/Committee informed of my ordinary place of residence.

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

(Signature or thumb impression of the juvenile/child)

Certified that the conditions specified in the above order have been read over/explained to(name of juvenile/child) and that he/she has accepted them as the conditions upon which his/her period of detention/ placement in safe custody may be revoked.

Certified accordingly that the said juvenile/child has been released/ relieved on the

Signature

Officer-in-charge or Superintendent of the institution.

FORM VII

[See rules 15(7) and 17(11)]

DISCHARGE ORDER

I, (name and designation of the discharging authority) do by this order permit ÖÖÖÖÖÖÖÖÖÖÖÖÖÖÖÖ.Ö.son/daughter of ÖÖÖÖÖÖÖÖÖÖ.. residence ÖÖÖÖÖÖ.. Profile NumberÖÖÖÖÖÖ.. who was ordered to be detained/placed in an observation home/special home/after care home by the Juvenile Justice BoardÖÖÖÖ.. under section ÖÖÖÖÖÖ. of the Juvenile Justice (Care and Protection of Children) Act, 2000, for a term of ÖÖÖÖÖÖ.on the ÖÖÖÖÖÖ.day of ÖÖÖÖ. 20Ö and who is now in theÖÖÖÖ. home, atÖÖÖÖ to be discharged from the saidÖÖÖÖÖÖ.. home and placed under the supervision and the authority ofÖÖÖÖÖÖÖÖ during the remaining period of stay.

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

Dated:

Place: *Signature and Designation of Releasing Authority.*

CONDITIONS

1. The discharged person shall proceed toÖÖÖÖÖÖ. and live under the supervision and authority of ÖÖÖÖÖÖ..until the expiry of the period of his/her detention unless the remission is sooner cancelled.
2. He/she shall not, without the consent of theÖÖÖÖÖÖÖÖÖÖ. remove himself/herself from that place or any other place, which may be named by the saidÖÖÖÖÖÖ.
3. He/she shall obey such instruction as he/she may receive from the said with regard to punctual and regular attendance at school/vocation or otherwise.
4. He/she shall attend the Attendance Centre located atÖÖÖÖÖÖÖÖÖÖÖÖÖÖ. regularly.
5. He/she shall abstain from committing any offence and shall lead a sober and industrious life to the satisfaction ofÖÖÖÖÖÖ...

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

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

(Signature or mark of the released juvenile)

Certified that the conditions specified in the above order have been read over/explained to ÖÖÖÖÖÖÖÖÖÖÖÖÖÖ(name of juvenile/child) and that he/she has accepted them as the conditions upon which his/her period of detention may be revoked.

Certified accordingly that the said juvenile/child has been discharged on the ÖÖÖÖÖ...

Signature

*Designation Officer-in-charge or
Superintendent of the Institution.*

FORM VIII

[See rule 32(23)] and*

SUPERVISION ORDER

When the child is placed under the care of a parent/guardian or other fit person

Case No. _____ of _____, 20____.

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

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

1. the child along with the copies of the order and the bond, if any, executed by the said _____ shall be produced before the Committee/court as and when required by the person executing the bond;
2. the child shall be placed under the supervision of the aforesaid parent/guardian/fit person;
3. the child shall reside at _____ for a period of _____ ;
4. the child shall not be allowed to quit the district of _____ without the permission of the Committee/court;
5. the child shall go to school regularly/endeavour to earn an honest livelihood;
6. the person under whose care the child is placed shall arrange for the proper care, education and welfare of the child;

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

7. the child shall not be allowed to associate with undesirable characters and shall be prevented from coming in conflict with law;
8. the child shall be prevented from taking narcotic drugs or psychotropic substances or any other intoxicants; and
9. the directions given by the Committee/court from time to time, for the due observance of the conditions mentioned above, shall be carried out.

Dated thisday of 20000000000000 .

(Signature)

Court/Chairperson, Child Welfare Committee

FORM IX

[See rules 32(23)]

UNDERTAKING BY THE PARENT OR
 FIT PERSON TO WHOM CHILD IS RESTORED

I Ö.....resident of House No
Street.....Village/Town..... District.....
 State do hereby declare that I am willing to take charge
 ofÖÖÖÖÖÖÖÖ (name of the child) agedÖÖÖÖ.. under the orders of
 the Child Welfare Committee 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 and education of the said child as long as he/she remains in my charge and shall make proper provision for his/her maintenance.
- (iii) In the event of his/her illness, he/she shall have proper medical attention in the nearest hospital.
- (iv) I undertake to produce him/her before the competent authority as and when required.

Dated this ÖÖÖÖÖ..day of ÖÖÖÖÖÖÖÖÖÖ..

Signature

Signature and address of witness(es)

Signed before me

(Chairperson, Child Welfare Committee)

FORM X

[See rule 32(24)]

ORDER OF SHORT TERM PLACEMENT PENDING INQUIRY

Name of the child :

Sex :

Age :

Father's Name :

Mother's Name :

Address :

Date of receiving by :
Organization/Institution

Produced by :

This is to authorize and direct you to receive the said child in your charge, and keep her/him in the shelter home/ children's home for care and protection under section 33(1) of the Juvenile Justice Act, 2000.

Next Date :

(Signature)

*Chairperson/Member,
Child Welfare Committee*

FORM XI

[See rule 32(25)]

ORDER OF RESTORATION OF A CHILD TO A FIT INSTITUTION
DECLARED BY THE JUVENILE JUSTICE BOARD

To

The Officer-in-Charge /Superintendent

Whereas on the _____ day of _____ 20_____
.....(name of the
child), _____, son/daughter of _____, aged _____
residing at.....being in care and protection is ordered
by the Child Welfare Committee under Section 39 of the Act to be restored
in the fit institution (Name of Institution)

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

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

This _____ day of _____ 20_____. .

(Signature)

Chairperson
Child Welfare Committee

Encl:

Copy of the orders, particulars of home and previous record, case
history and individual care plan, whichever is applicable.

FORM XII

[See rule 32(6)]

ORDER FOR ENQUIRY

To,

The Probation Officer/Child Welfare Officer/Case Worker

Whereas a report under section 20 of the Juvenile Justice (Care and Protection of Children) Act, 2000 has been received from [Name of the child], aged (approximate) [Age], son/ daughter of [Parents], residing at [Address], who has been produced before the Committee under section 20 of the Juvenile Justice (Care and Protection of Children) Act, 2000.

You are hereby directed to enquire into the social and family background of the said child and submit your inquiry report on or before [Date] or within such time allowed to you by the Committee.

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

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

Dated this [Date] day of [Month] 20[Year].

(Signature)

*Chairperson
Child Welfare Committee.*

SEAL

FORM XIII

[See rules 32(8) and 40(3)(f)(ii)]

INQUIRY REPORT

Sl. No

Produced before the Child Welfare Committee.....
(address).

Case No.

Name:
Probation Officer

Category of child in need of care and protection:

Name, religion and caste

Fatheris/Guardianis name

Permanent address

Age and date of birth

Address of last residence

Sex

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

FAMILY DETAILS

Members of family	Name	Age	Health	Education	Occupation	Monthly earnings	Disabilities	Any other e. g. social habits
Father								
Step father								
Mother								
Step mother								
Siblings								
Any other legal guardian/relative								

If married, relevant particulars

.....

Other near relatives or agencies interested

.....

Attitude towards religion normal and ethical code of the home etc.

.....

Social and economic status.....

Delinquency record of members of family

.....

Present living conditions

Relationship between parents/parents and children especially with the juvenile under investigation

Other factors of importance if any

CHILD'S HISTORY

Mental condition

(Present and past).....

Physical condition

(Present and past).....

Habits, interests (moral, recreational etc.).....

Outstanding characteristics and personality traits.....

.....

Companions and their influence.....

Truancy from home, if any

.....

School (attitude towards school,

teachers, class mates and vice-versa)

.....

Work record (jobs held, reasons for leaving, vocational interests, attitude towards job or employers).....

Neighbourhood and neighbours report.....

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

.....

.....

Any other remarks

RESULT OF INQUIRY

Emotional factors :

Physical condition :

Intelligence :

Social and economic factors :

Religious factors :

Reasons for child's need for
care and protection :

Opinion of experts consulted :

Recommendation of Child Welfare Officer/Case Worker/Social Worker
regarding psychological support, rehabilitation and reintegration of the child
and suggested care plan.

*Signature of the Probation Officer/
Child Welfare Officer/Case Worker.*

FORM XIV

[See rules 30 (8) and 40 (4) (j)]

ORDER FOR DECLARING ABANDONED CHILD LEGALLY FREE FOR
ADOPTION

In the child welfare committee forDistrict.

Present (Chairperson)

..... (Member)

..... (Member)

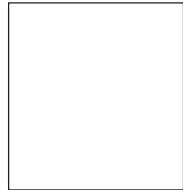
O.P.No:

(In the matter ofa male/female child)

Petitioner :

Respondent :

Marks of identification of the child:

Photograph of the
child to be affixed

1. in exercise of the powers vested in the Child Welfare Committee..... constituted under sub-sectionof section.....of the Juvenile Justice (Care and Protection of Children) Act, 2000 and sub-rule.....of rule... of these rules, minor..... born on..... (date) placed in custody of specialised adoption agency..... (name & address), vide order datedof the Child Welfare Committee, has been declared legally free for adoption on the basis of details furnished through:

(a) Investigation/ inquiry /home study conducted by probation officer/child welfare officer/social worker/case worker.

(b) Declaration submitted by the specialised adoption agency under sub-rules ...of rule... of these rules.

2. ÖÖÖÖÖÖÖÖÖÖÖÖÖÖÖÖ(name of the specialised adoption agency) shall fulfil all conditions specified in Juvenile Justice (Care and Protection of Children) Act, 2000 and the rules relating thereto and furnish a copy of adoption decree/guardianship order in respect of the minor as may be required by Committee and the Department of Social Justice, Government of Kerala.

Date:

Signature

Chairperson/Member(s)
Child Welfare Committee

(For completion by the specialized adoption agency)

(i) I have read and understood Chapters III and IV of Juvenile Justice (Care and Protection of Children) Act, 2000 and the rules thereunder and agree to abide/be bound by the same while placing said minor in adoption.

(ii) I further declare that the particulars stated in the declaration submitted by me on true and correct. In case they are found to be false or incorrect, the Committee has right to suspend this Release Order for (name of the minor) and ask for production of said minor before the Committee.

Date:

Place:

*Officer-in-charge or Superintendent/
Social Worker.*

FORM XIV A

[See rule 30(8), 40(3)(c) and 40 (4) (j)]

ORDER FOR DECLARING SURRENDERED CHILD LEGALLY
FREE FOR ADOPTION

1. In exercise of the powers vested in the Child Welfare Committee.....constituted under sub-section..... of section.....of the Juvenile Justice (Care and Protection of Children) Act, 2000 and sub-rule..... of rule..... of these rules, minor born on (date)..... in custody of specialised adoption agency and surrendered by the birth mother vide Surrender Deed dated has been declared legally free for adoption on the basis of details furnished through:

- (a) report of counselling of the unwed birth mother by the qualified social worker at the specialized adoption agency
- (b) perusal of the surrender deed
- (c) declaration submitted by the specialised adoption agency under sub-rules..... of rule of these rules.

2.shall fulfil all conditions specified in Juvenile Justice (Care and Protection of Children) Act, 2000 and the rules relating thereto and furnish a copy of adoption decree/guardianship order in respect of the minor as may be required by Committee and the Department of Social Justice, Government of Kerala.

Date:
Place:

Chairperson
Member(s)
Child Welfare Committee

(For completion by the specialised adoption agency)

(i) I have read and understood Chapters III and IV of Juvenile Justice (Care and Protection of Children) Act, 2000 and the rules thereunder and agree to abide/be bound by the same while placing said minor in adoption.

(ii) I further declare that the particulars stated in the declaration submitted by me on true and correct. In case they are found to be false or incorrect, the Committee has right to suspend this Release Order for (name of the minor) and ask for production of said minor before the Committee.

Date:
Place:

Child Welfare Officer/Social Worker.

FORM XV

[See rule 40(4)(g)]

DEED OF SURRENDER

I/We.....d/o or s/o. (1).....
 (2)

residing at (1)..... (2).....
 am/are not in a position due to social reasons/due to being single/ill/
 disabled to take care of my child (name, if any)
 DOB.....or..... approximate age..... years.
 I am/we are explained the consequences of surrendering my child and about
 the alternative child care facilities available by the Social Worker
 (name) In full
 knowledge of all these facts, I am/we are surrendering my/our child today,
 dated Within two months from this stated date if
 I/We do not revise my/our decision to take back my/our child and do not
 approach the said Specialised Adoption Agency for the same, the Committee
 shall declare my/our child legally free for adoption and I/we shall have no
 further claim on my child.

Signature of parent/guardian

Date:

That ISocial Worker have explained
 the procedure and the consequences of surrendering the child to the
 concerned parent/guardian on (date)

Signature of Social Worker

Date:

(Signed before me)

Witnesses: ó

1.

2.

FORM XVI

[See rules 46(4) and 48]

A. FOSTER CARE/SPONSORSHIP ASSESSMENT

1. Agency Details

Name of the agency :
 Address :
 Telephone :
 Fax :
 E-mail :
 Name of the social worker :
 Tel :
 Date (form completed).

2. Details of the Applicant

Surname :
 Full name :
 Date of birth :
 Religion :
 Language(s) spoken at home :
 Occupation :
 (a) Nature of work :
 (b) Hours of work :
 Address :
 Telephone :

3. Description of a preferred child

The type of child, the foster-carer would consider (To be filled after a full discussion with the foster-carer) Age range under 2 years 3ñ6 years (foster care); and, 7ñ12 years 13ñ15 years 16ñ18 years (sponsorship)

<i>Sl. No.</i>	<i>Type of Placement</i>	<i>Duration</i>
(i) Pre adoption		
(ii) Emergency		
(iii) Short term		
(iv) Assessment		
(v) Long term		

The Child an applicant can care for (please tick)

A child who is:

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

4. Profile of the family

Brief Family Profile

<i>Name</i>	<i>Gender</i>	<i>Approx. age</i>	<i>Occupation</i>	<i>Education</i>	<i>Relationship with th applicant</i>

(Give details of personalities, family life, experiences etc. Also highlight specific qualities of the family that can match with a child's needs. The details should facilitate initial identification of a potential match with a specific child.)

Accommodation (House)

(Details of type, size, own/rented space, amenities etc.)

Neighborhood

(Details of composition, amenities and facilities, public transport etc.).

5. Verification of applicant's identity

Place of residence

Period of stay

Nationality

Marital status (date/length of marriage)

Has either of the applicant had a previous marriage? Details

If children from previous marriage? Details

Specify documents seen with date

6. Career History

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

7. Agency Inquiries

Medical check

Police check

Employer

8. Personal references (from 2 persons)

This section to be completed after interviews with two references; information gathered through these interviews should include:

- ☐ Length of time known
- ☐ Relationship to the applicant
- ☐ Provide evidence on the applicants ability to perform the tasks involved in.....
- ☐ Caring for children
- ☐ Providing a safe and caring environment
- ☐ Applicant as a neighbour
- ☐ Interests, talents, personality

Assessment of the social worker for these references

B. HOME STUDY REPORT

A Home Study Report of the foster carer(s)/sponsorship being a crucial document being prepared by the social worker of the specialized adoption agency based on the information collected by the format given above should broadly include the following information:

- ï Social status and family background
- ï Description of the home
- ï Standard of living as it appears in the home
- ï Current relations amongst the members in the home
- ï Status of development of the children already in the home
- ï Employment and economic status
- ï Health details
- ï Details of facilities of education, medical, vocational trainings available in the neighbourhood
- ï Reasons for wanting a child in foster care
- ï Attitudes of the grandparents and other relatives
- ï Anticipated plans for the foster child
- ï Legal status of the foster carer(s)
- ï Willingness to undergo training.

C. DETAILS OF APPLICANT(S)

1. Background

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

2. Relationships

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

3. Decision making

How is decision-making exercised in this relationship and how does each of the applicants view this? Is there wider extended family involvement in the couple's decision-making process?

If so, how will this affect the child to be placed?

What are the strengths and vulnerabilities of this partnership?

☐ Children

☐ Children and their parents' relationships

☐ Children's attitude and readiness for a foster placement sibling.

Describe each child and their temperament, any special talent and need, how children have been involved in preparation.

4. Applicants support networks

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

5. Other significant members of the family

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

6. Description of the family life style

Outline what family considers important. e.g. how important are religious and cultural practices.

How is affection shown in the family? How do the members spend their time?

What expectations family members have with regard to personal space?

What value is placed on education/hobbies and leisure activities that the whole family undertakes?

7. Parenting capacities

Experience of the applicants of caring and working with children. Describe their adjustment to parenthood.

What is their understanding of how children develop?

Using their own childhood experiences what patterns of parenting would they repeat and what would they change?

What is their understanding of their own parenting strengths/potentials and about their parenting skills to meet the needs of individual child.

To what extent they would expect other family members to be involved in parenting of their children/placed children.

How will they ensure that a child will be safe from physical sexual abuse in their family and within wider support networks?

8. Managing Unacceptable Behaviour

What are rules in the household?

How do the applicants show approval/disapproval?

What are discipline measures they use?

Their attitude towards punishment?

What do they anticipate would be the issues and difficulties and themselves for their own children and for their support network?

What do they anticipate would be the issues and difficulties for the child?

Which changes do they anticipate would need in their lifestyle?

Social workers assessment

It should provide an analysis of all the information collected through the format and its significance with regard to the capacity of the applicant to carryout fostering task:

What skills do the applicants have in relating to and working with children?

How well will the applicant work with the agency, with biological parents?

What are the strengths and resources of the applicants and which are the areas where they may experience difficulty?

(Also the point of disagreement between the social worker and the applicants should be recorded here).

Recommendations of the Child Welfare Officer/Social Worker.

(Signature)

FORM XVII

[See rule -45(3)(b)]

ORDER OF FOSTER CARE PLACEMENT

In the Court for District.

Present

O.P.No:

(In the matter of ÖÖ.....a male/female child)

Petitioner :

Respondent :



Photograph of the
child to be affixed

Marks of identification of the child:

The child (name and address)aged.....years or
approximate age..... d/o or s/o Mr.and
Mrs..... or Ms.....
is in need of care and protection of a family. Mr.....
and Mrs.....or Ms.....
resident of (complete address and contact numbers)is/are
declared fit person/persons for foster-care placement of the child based on
the home study report of the Child Welfare Officer/Social Worker.

The child (name) is placed in foster care for a
period of..... (days/months), under the
supervision of the aforesaid Child Welfare Officer/Social Worker (name and
contact No.)

Judge.

FORM XVIII

[See rule 47(2)(F)-48]

ORDER OF SPONSORSHIP SUPPORT

The juvenile/child (name and address).....
approximate
 age..... d/o. or s/o.....
 Mr.....and
 MrsÖ..... Mr.

 has been identified by the State/District Child Protection Unit as a juvenile/
 child at risk needing urgent care and protection. On the basis of the
 Inquiry Report submitted by the State/District Child Protection Unit/Child
 Welfare Officer/Social Worker it is established that the said juvenile/child
 needs sponsorship support for education/health/nutrition/other
 developmental needs.....
 (please specify). The State/District Child Protection Unit is hereby directed
 to release Rs. per month/Rs.as one time
 sponsorship support to the said juvenile/child for a period of
 (days/month) and carryout necessary follow up.

The State/District Child Protection Unit is also directed to clearly lay
 down the terms and conditions for sponsorship support and follow up.

Principal Magistrate, Juvenile Justice Board

Chairperson/Member, Child Welfare Committee.

Copy to: 6

State/District Child Protection Unit/Director Department of
 Social Justice.

FORM XIX

[See rule 49(3)]

ORDER OF AFTER CARE PLACEMENT

The juvenile/child (name).....
 d/o or s/o..... has/will be completing
 18 years of age on (date) She/he is still in need of care and
 protection for the purpose of rehabilitation and reintegration. She/he is
 placed in (name of organization)
 for providing aftercare. The in-charge of the Organization is directed to admit
 the child and provide all possible opportunities for her/his rehabilitation and
 reintegration in its trust sense. The person shall be provided all these
 opportunities maximum till the age of 20 years only or till reintegration in the
 society, whichever is earlier. The In-charge will send half yearly report on
 the status of the child/youth to the Child Welfare Committee/JJB. The State/
 District Child Protection Unit is hereby directed to arrange for aftercare for
 the said juvenile/child for a period of (days/month) and
 carryout necessary follow up. The State/District Child Protection Unit is also
 directed to clearly lay down the terms and conditions for aftercare
 programme and carryout necessary follow up.

*Director of Social Justice,
 Government of Kerala.*

[See rules 63 (11) and 67(1)(t)]

CASE HISTORY OF CHILD/JUVENILE IN THE INSTITUTION

Case/Profile No.

Date & Time

A. Personal Data

1. Name
2. Male / Female (tick the appropriate category)
3. (a) age at the time of admission
(b) present age:

Affix a latest
photograph here

4. Category:
 - Separated from family
 - Abandoned/deserted
 - Victim of exploitation and violence (give detail)
 - Run-away
 - Any other
5. Religion: Hindu (OC/BC/SC/ST) Muslim/Christian/Other (pl. specify)
6. Location of Residence Urban /Sub-urban/Rural/Slum/Industrial/Other (pl. specify)
7. Native District & State:
8. Description of the Housing:
 - (i) Concrete building Tiled House/Hut/On the street/Others (please specify)
 - (ii) Three bed room/two-bed room/one-bed room/no separate bed room.
 - (iii) Owned/rental

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

- (i) Police Local Police/Special Juvenile Police Unit/Railway Police/
Women Police
- (ii) Probation Officers
- (iii) Social Welfare Organization
- (iv) Social Worker
- (v) Parent(s)/Guardian (s) (please specify the relationship)
- (vi) Child himself/herself

10. Reasons for leaving the family

- (i) Abuse by parent(s)/guardian(s)/step parents(s)
- (ii) In search of employment
- (iii) Peer group influence
- (iv) Incapacitation of parents
- (v) Criminal behaviour of parents
- (vi) Separation of parents
- (vii) Demise of parents
- (viii) Poverty
- (ix) Others (please specify)

11. Types of abuse met by the child

- (i) Verbal abuse parents/siblings/employers/others (pl. specify)
- (ii) Physical abuse
- (iii) Sexual abuse parents/siblings/employers/others (pl. specify)
- (iv) Others parents/siblings/employers/others (pl. specify)

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

- (i) Denial of food ñ parents/siblings/employers/other (pl. specify)
- (ii) Beaten mercilessly ñ parents/siblings/employers/other (pl. specify)
- (iii) Causing injury ñ parents/siblings/employers/other (pl. specify)
- (iv) Other (pl. specify) ñ parents/siblings/employers/others (pl. specify)

13. Exploitation faced by the child

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

14. Health status of the child before admission.

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

15. With whom the child was staying prior to admission

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

16. Visit of the parents to meet the child

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

17. Visit of the child to his family

- (i) Prior to institutionalization ñFrequently/Occasionally/Rarely/
During festival times/During summer holidays/Whenever fallen
sick/Never
- (ii) After institutionalization ñFrequently/Occasionally/Rarely/During
festival times/During summer holidays/Whenever fallen sick/
Never

18. Correspondence with parents

- (i) Prior to institutionalization ñFrequently/Occasionally /Rarely/
During festival times/During summer holidays/Whenever fallen
sick/Never
- (ii) After institutionalization ñFrequently/Occasionally/Rarely/During
festival times/During summer holidays/Whenever fallen sick/
Never

B. Childhood History (up to the age of 12 years)

19. Diet of mother during pregnancy:

- (i) Taken nutritious diet
- (ii) Ordinary diet
- (iii) Inadequate food intake

20. Health during pregnancy

- (i) Mother infected with contagious diseases
- (ii) Mother consumed/used contraceptives
- (iii) Intake of antibiotics
- (iv) No such details available

21. Birth details

- (i) Normal delivery/prolonged delivery/caesarian
- (ii) Under weight/normal weight/over weight

22. Details of immunization provided

23. Details of handicap

- (i) Hearing impairment By birth/After accident/diseases
- (ii) Speech impairment By birth/After accident/diseases
- (iii) Physical handicap By birth/After accident/diseases
- (iv) Mental handicap By birth/After accident/diseases
- (v) Others (please specify)

C. Family Details:

S. No. (1)	Name & Relationship (2)	Age (3)	Sex (4)
Education (5)	Occupation (6)	Income (7)	Health (8)
History of Mental illness (9)	Handicap (10)	Habit (11)	Socialization (12)

25. Type of family:

Nuclear family/joint family/broken family

26. Relationship among the family members:

- (i) Father and mother Cordial/Non cordial/Not known
- (ii) Father and child Cordial/Non cordial/Not known
- (iii) Mother and child Cordial/Non cordial/Not known
- (iv) Father and siblings Cordial/Non cordial/Not known
- (v) Mother and siblings Cordial/Non cordial/Not known
- (vi) Juvenile and siblings Cordial/Non cordial/Not known

27. History of crime committed by family members:

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

28. Properties owned by the family:

- (i) Landed properties (pl. specify the area)
- (ii) Household articles-Cows/Cattle/Bull
- (iii) Vehicles- two wheeler/three wheeler/four wheeler (lorry/bus/car/tractor/jeep)
- (iv) Others (please specify)

29. Marriage details of family members:

- (i) Parents Arranged/Special Marriage/Local Union
- (ii) Brothers Arranged/Special Marriage/Local Union
- (iii) Sisters Arranged/Special Marriage/Local Union

30. Social activities of family members:

- (i) Participate in social and religious functions
- (ii) Participate in cultural activities
- (iii) Does not participate in social and religious functions
- (iv) Not known

31. 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)

32. Puberty

Early/Middle age/Late

33. 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)

34. Reason for delinquent behaviour

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

35. Habits

- (i) Smoking
- (ii) Alcohol consumption
- (iii) Playing indoor/outdoor games
- (iv) Drug use (specify)
- (v) Reading books
- (vi) Gambling
- (vii) Religious activities
- (viii) Begging
- (ix) Drawing/painting/acting/singing
- (x) Watching TV/movies
- (xi) Any other

E. Employment Details

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

<i>Sl. No.</i>	<i>Details of employment</i>	<i>duration</i>	<i>wages earned</i>
(i)	Cooly		
(ii)	Rag picking		
(iii)	Mechanic		
(iv)	Hotel work		
(v)	Tea shop work		
(vi)	Shoe polish		
(vii)	Household works		
(viii)	Others (pl. specify)		

36. Details of income utilization:

- (i) Sent to family to meet family need
- (ii) For dress materials
- (iii) For gambling
- (iv) For prostitution
- (v) For alcohol
- (vi) For drug
- (vii) For smoking
- (viii) Savings

37. Details of savings

- (i) With employers
- (ii) With friends
- (iii) Bank/Post Office
- (iv) Others (pl. specify)

38. Duration of working hours

- (i) Less than six hours
- (ii) Between six and eight hours
- (iii) More than eight hours

F. Educational Details

39. 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

40. 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) Rigid school atmosphere
- (viii) Absenteeism followed by running away from school

41. The details of the school in which studied last:
 - (i) Corporation/Municipal/Panchayat Union
 - (ii) Government/SC Welfare School/BC Welfare School
 - (iii) Private Management
 - (iv) Convents
42. Medium instruction:

Hindi/English/Urdu/Tamil/Malayalam/Kannada/Telugu

Other language (please specify)
43. After admission to children's home, the educational attainment from the date of admission till date;

No. of years Class studied Promoted/detained
44. Vocational training undergone from the date of admission into children's home till date.

No. of years Name of Vocational Trade Proficiency Attained
45. 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

46. Height and weight at the time of admission:
47. Physical condition:
48. Medical history of child (gist):
49. Medical history of parent/guardian (gist):
50. Present health status of the child:

<i>Sl. No.</i>	<i>Annual Observation</i>	<i>1st Quarter</i>	<i>2nd Quarter</i>	<i>3rd Quarter</i>	<i>4th Quarter</i>
----------------	---------------------------	--------------------	--------------------	--------------------	--------------------

1. Date of review
2. Height
3. Weight
4. Nutritious diet given
5. Stress disease
6. Dental
7. ENT- Tonsils
8. External eye problem: vision/Left/Right

51. Height and Weight Chart:

<i>Date</i>	<i>Month & Year</i>	<i>Height</i>	<i>Admissible</i>	<i>Actual weight</i>
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H. Social History

52. Details of friendship prior to admission into children's home:

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

53. Majority of the friends are

- (i) Educated
- (ii) Illiterate
- (iii) The same age group
- (iv) Older in age
- (v) Younger in age
- (vi) Same sex
- (vii) Opposite sex.

54. 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).

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

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

56. 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)

57. Attitude of the group/league
 - (i) Respect the social norms and follow the rules
 - (ii) Interested in violating the norms
 - (iii) Impulsive in violating the rules
58. 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.
59. 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.
60. The reaction of the police towards children
 - (i) Passionate
 - (ii) Cruel
 - (iii) Abuse
 - (iv) Exploitation
 - (v) Ill-treatment
61. The response of the general public towards the child (HISTORY OF THE CHILD (GIST)
 - (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/Case Worker/Social Worker.

Quarterly Review of Case History by Management Committee.

*Superintendent/Social Worker/
Welfare Officer/Probation Officer.*

FORM XXI

[See rules 63 (14)(a), 67(1)(o) and 103(1)(k)]

INDIVIDUAL CARE PLAN

Individual care plan for each child shall be prepared following the principle of the best interest of the child. In preparing individual care plan the care options in the following order of preferences shall be considered:

- (i) Preserving the biological family
- (ii) Kinship care
- (iii) In-country adoption
- (iv) Foster care
- (v) Inter-country adoption
- (vi) Institutional care

Case/Profile No. of 20..... (year) of the Board/Committee.

Admission No.

Date of Admission:

A. Personal details

1. Name of the child :
2. Age :
3. Sex : Male/Female
4. Father's/Mother's name :
5. Nationality :
6. Religion/caste :
7. Educational attainment :
8. Summary of case history :
 - ĩ Health needs
 - ĩ Emotional and psychological support needed
 - ĩ Educational and training needs
 - ĩ Leisure, creativity and play
 - ĩ Attachments and relationships
 - ĩ Religious beliefs
 - ĩ Protection from all kinds of abuse, neglect and maltreatment
 - ĩ Social mainstreaming
 - ĩ Follow-up post release/restoration.

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

Date of report

Signature.

Probation Officer/Case Worker

C. Pre-release Report

(Tick whichever is applicable) Final Release/Transfer

1. Details of place of transfer and concerned authority responsible in the place of transfer/release
2. Details placement of the juvenile/child in different institutions
3. Training undergone and skills acquired
4. Final progress report of the officer-in-charge of superintendent/probation officer/child welfare officer/case worker/social worker (to be attached)
5. Date of release/transfer
6. Date of repatriation
7. Requisition for escort if required
8. Identification of escort
9. Recommended rehabilitation plan including possible placements
10. Sponsorship requirement and report, if applicable
11. Identification of Probation officer/case worker/social worker/non-governmental organisation for post-release follow-up
12. Memorandum of Understanding with non-governmental organisation identified for post-release follow-up
13. Identification of sponsorship agency/individual sponsor for the child post-release, if any

14. Memorandum of Understanding between the sponsoring agency and individual sponsor
15. Details of Savings Account of the child, if any
16. Details of child's earnings and belongings, if any
17. Details of awards/rewards due to the child, if any
18. Opinion of the child
19. Any other information

Note: Pre-release report shall be prepared 6 months prior to the date of release/transfer of juvenile/child and shall take into account the recommendations of the last review report and all other relevant information.

D. Post-release Report

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

In the matter of boy/girl Child ÖÖÖÖÖÖÖÖÖÖ.....
aged aboutÖÖÖÖyear taken charged for sole custody under Section 33 of
the Juvenile Justice (Care and Protection of Children) Act, 2000.
The parents of the boy/girl child are reported to be Residing
at:

Orders

Pending escort, the said boy/girl child shall remain in childrens home, residing at present at
The State/District Child Protection Unit, or Police Department or non-governmental organisation/Childline shall positively make immediate arrangement not less than 15 days from the date of receipt of this order by him and send the said boy child/girl child at his/her aforesaid place of residence.

Dated this____day of____.20.....

Chairperson

Member

Child Welfare Committee.

CC to:

1. The Superintendent, Children's Home.
2. The State/District Child Protection Unit or non-governmental Organisation or Childline

Ref.: 1. Order of admission:

FORM XXIII

(See section 15 of the Act r/w sub rule (11) of rule 13)

PROCEEDINGS OF THE JUVENILE JUSTICE BOARD

Present:(Principal Magistrate)

.....(member)

.....(member)

ST No. :...../20.....

1. Name of the police station and crime number of the offence

2. Description of Juvenile

(a) Name :

(b) Father's name :

(c) Age :

(d) Address of the juvenile :

3. Date of Occurrence

(a) Complainant :

(b) Apprehension :

(c) Commencement of inquiry :

(d) Close of inquiry :

(e) Order passed :

4. Explanation for delay

5. Finding

6. Order

.....
 (Name and
 address) who was alleged under section.....
 (Section number and name of Act) by the (Crime
 number and name of Police Station)

The allegation against the child/juvenile was.....

(Summary
 of allegation).

He was taken into custody by the Police/others (Specify)

or

and he was produced before the Board on(date
 and time). He was released on bail on/kept
 in an observation home

(Name and address). The Police submitted the final report on
 ÖÖÖ.....

The point to be decided in the cases is.....

The Evidence in the case includes.....

Discuss the points in detail

.....

[illegible]

1. Allow the Juvenile to go home after advance or admonition along with parent(s)/guardian(Name and address).

2. Order the juvenile to participate in group counselling atÖÖ...ÖÖ
ÖÖÖÖ.....ÖÖÖÖÖÖ.

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

(Name of the institution/organization) for a period of
ÖÖÖÖÖÖÖÖ.....Ö. hours. The said organization shall submit
a progress report and completion report to the Board.

3. The participate in community service for a period of
.....hours (at the rate of maximum 2 hours/day) at the
place.....

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

.....(Name and address of
institution/organization).

And the head of the above institution is directed to submit a periodic
progress report once in a week/month and completion report to
the Board.

4. The juvenile is directed to pay a fine of `
ÖÖÖÖÖÖ..ÖÖÖ.....(if he is an earning member) or

`by his parent/guardian

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

(Name and Address).

5. The juvenile is released on probation of good conduct and placed
under the care of the

.....
.....

(Name and address of probation officer/case worker/fit institution
for a period ofyears subject to the following
conditions.

- (i) That the juvenile along with the copies of the order and the bond executed by the said juvenile shall be produced before the probation officer/case worker named there in. That the juvenile shall be submitted for the supervision, community service or group counselling, as ordered.
6. Any other findings and order.

Signature.

Principal Magistrate

Members (1)

(2)

FORM XXIV

[See sub rule (7) of rule 30]

IN THE CHILD WELFARE COMMITTEE FOR ÖÖÖÖÖ..DISTRICT

Present ÖÖÖÖÖÖÖÖÖÖÖÖÖÖÖÖ..(Chairperson)

ÖÖÖÖÖÖÖÖ ÖÖÖÖÖÖ. (Member)

ÖÖÖÖÖÖÖ.ÖÖÖÖÖÖ..Ö (Member)

O.P. No:ÖÖÖÖ../Ö..

Petitioner :

Respondent :

Name of the Police station limit and complaint number, if any:

Name of the child in need of care and protection:

Name of the parent/custodian:

Address :

Age and date of birth:

Date of production before the Committee:

Date of sending into children's home:

Name and address of Institution to which the child is placed:

Date of filing of petition:

Date of commencement of inquiry:

Date of closing of inquiry:

The provision of Act under which the proceeding is initiated:

Finding:

Operating part of the order:

Explanation for delay:

This Petition filed under Section.....of the (Juvenile Justice (Care and protection of Children) Act, 2000 and ruleof the Kerala Juvenile Justice (Care and Protection of Children) Rules, 2014 and filed byÖÖÖÖÖon and coming on for final hearing before us on in the presence of the Petitioner and and the Committee on the day of201..... delivered the following:

1. The original petition is for/declaring the child free for adoption allowing the petitioner to transfer the child from the petitioner institution toÖÖÖ.....and for an order to that effect/any other relief please specify.

2. Description of the date, time, place and circumstances in which the child was produced/The case of the petitioner is as follows:ö

.....

3. The points to be looked in the case are :

(a) Whether the child in the case is a child in need of care and protection and has no family and ostensible support?

(b) Whether for the best interest of the child a declaration as prayed for is to be made any other point as required by the situation of the case?

(c) What shall be the order?

4. Discuss what all evidence is considered in the case.

5. Summary of the report of the probation officer/case worker.

6. Opinion of the child with regard to the circumstances in which he was brought out and of the future course of rehabilitation if any?

6. Point No. (i)

Point No. (ii)

Point No. (iii)

Nature of Disposal:

- (1) Sent along with parents
- (2) Guardian
- (3) Children's home
- (4) Declared the child as free for adoption
- (5) Declared the petitioner as fit person
- (6) Allowed the petitioner to transfer the child out of the area of jurisdiction of the Committee
- (7) Any other order

Chairperson

Member (s)

Child Welfare Committee ÖÖÖÖ

10. Dissenting opinion, if any by members.

Appendix

Witness for petitioner

PW1 :

Exhibits for petitioner

Exhibit P1 :

Exhibit P2 :

Name and signature

(Chairperson)

1. Member

2. Member

3. Member

4. Member

5. Member

[See rules 13 (1) and 32(1)]

PROCEEDINGS PAPER

In the Juvenile Justice Board/Child Welfare Committee Ö.Ö.....
.....District

FIR/ST/O.P/MP. No. /20....

Note below in the hand writing of the member JJB/CWC the
proceedings of the case from first hearing till disposal

FORM - XXVI
[See rule 34(a)]

REGISTER OF ORIGINAL PETITIONS

Sl. No.	Name of child	Name and address of the petitioner/s	Name and address of the respondent/s	Provision of law	Result	Remarks

[illegible]

FORM - XXVIII

[See rule 34(c)]

REGISTER OF MISCELLANEOUS PETITIONS

Sl. No.	Date of receipt	Number and year of case	Short abstract of petition	Order of CWC	How the order was executed

FORM - XXIX

[*See* rule 34(d)]

HEARING BOOK

Day of the Week ÖÖÖÖÖ DateÖÖÖÖÖ

(1)

Number of proceedings

(2)

Date to which adjourned

FORM - XXX

[See rule 34(e)]

DIARY REGISTER

Members present :

Date:

Sl. No.	Number of proceedings	Purport of proceedings
(1)	(2)	(3)

Signature of Members present

FORM - XXXI

[See rule 34(f)]

MEMBER'S DIARY

Day of the WeekÖÖÖ..

DateÖÖÖ.....ÖÖÖ

Sl. No.

Name of the child

Interim order passed

FORM - XXXII

[See rule 30 (10)]

PROCESS REGISTER

Sl. No	Number of case	Nature of process with identifying particulars	Name of the police station	Date when sent to police station	Date when received back	Manner of service	Remarks

FORM - XXXIII

[See rules 10(h) and 29(w)]

QUARTERLY PERFORMANCE REPORT OF THE JUVENILE
JUSTICE BOARD/CHILD WELFARE COMMITTEE,
FOR THE QUARTER ENDING20

1. No. of cases filed before Child Welfare Committee/Juvenile Justice Board from tois.....
2. No. of cases pending at the beginning of the quarter
3. No. of cases received during the quarter
4. No. of cases disposed during the quarter
5. No. of cases pending during the end of the quarter
6. No. of days and hours of sitting (use separate sheet for date-wise data).....
7. Special achievements , if any sitting (use separate sheet)
8. Names of members attended in each sitting (use separate sheet).

Details of cases disposed during the quarter

Sl. No.	Name and address of the child	Sex	Age	Date of production before JJB/CWC and offence; and name of police station	Date and nature of disposal of the case (specify)	If child is send to an institution, name and address of the institution, the date and period ordered

The Principal Magistrate,
Juvenile Justice Board.....
The Chairperson

Child Welfare Committee.....

Submitted to,

The Principal District and Sessions Judge

.....

*Copy to:*6

Director of Social Justice, Thiruvananthapuram

	Husband	Wife
Name		
Date of birth & age		
Place of birth		
Nationality		
Mother Tongue		
Religion		
Education		
Occupation		
Income		
Place of work		

4. Marital Status, Children and Family

5. Living place

6. Home and Neighbourhood

(a) The standard of living

(b) Neighbourhood

7. Personal, Family and Social Background

(A) *Adoptive Father*

Personality description

Family background and upbringing

Extended family

Education and related qualification, occupation

Social and Recreational

(B) *Adoptive Mother*

Personality description

Family background and upbringing

Extended family

Education and other related qualifications

Occupation

Social and recreational

8. Marital and Family Relationships

Relationship

Respective families

9. Adoption/Foster care-attitude, Motivation and expectations and experiences:

Decision process

Parenthood

Preparation for adoptive parenthood ideas on

10. Financial status

11. References

12. Evaluation and any other relevant matters

13. Report prepared by

Signature

Name and Address of the Social Worker/Probation Officer.

FORM XXXV

[See Rule 41(d)(viii)]

CHILD STUDY REPORT

Information on the child who is to be placed in adoption under the Juvenile Justice (Care and Protection of Children) Act, 2000.

Name of child :
 Name of the institution :
 Address :

Part I

Name of the child :
 1. Reference No. as per General Register of the Institution :
 2. Present age :
 3. Sex :
 4. Religion (if known) :
 5. Date of birth (if available) :
 6. Place of birth (if available) :

Part II

1. Petition No. :
 2. Name of the Petitioner :
 3. Complete address of the petitioner :

Part III to be filled for committed children by Juvenile Justice Board/Child Welfare Committee only.

Part III (Legal Data)

1. Name of the committing Juvenile Justice Board/Child Welfare Committee :
 2. Age of the child at the time of commitment :
 3. Date of order of commitment :
 4. Period of commitment :
 5. Final date of release :
 6. Section of the Juvenile Justice (Care and Protection of Children) Act, 2000 :
 7. Date of admission to your institution :

Please enclose a copy of the order of Juvenile Welfare Board / Child Welfare Committee.

Please enclose a copy of the report of the probation officer which he/she has submitted to the Juvenile Justice Board/Child Welfare Council at the time of commitment of the child.

Part IV (Social Data)

1. How the child come to your Institution :
 - (a) Admitted directly by parents/
unwed mother and relinquished :
 - (b) Committed by Juvenile Justice
Board/Child Welfare Committee :
 - (c) Transferred from any other
institution and if so, which one :
 - (d) Any other source :
2. Circumstances under which the
child come to the original
institution :
3. Reasons for seeking protection
in the institution :
4. Information about the relatives :
5. In case if they are alive, have they
agreed to give away the child in
adoption/and if so, whether written
consent has been obtained :
6. Whether the relatives have established
any contacts with the child after his
or her admission to your institution :
7. If the child is pure destitute, give
factors which will show that :
8. Any other information on which you
would like to add :

Part V (Behavioural Observation)

1. How long the child is with you in
your institution :
2. Attitude towards other inmates :
3. Relationship towards staff and other adults :
4. Intelligence (if and where possible
IQ report should be enclosed) :
5. General personality and description
of the child play activity and any
specific talent :

6. Observer's impressions about the child :
7. Please indicate how the parent's plan :
of rehabilitation will be useful to the
child taking in to consideration the
child's needs and temperament
8. If the child is school going give a :
detailed report about his/her standard,
attendance, general interest in studies
progress defects if any
10. Any other information.

Part VI

Physical and medical report Form enclosed.

Part VII

Have you reviewed the home study report of the adoptive parents and do you feel that the Placement of this child with this family is suitable.

Have the adoptive parents seen the details of child whom they wish to bring up and have they approved the child after knowing the general conditions Physical or mental defect, etc. If so, please give a copy of the certificate wherein the adoptive parents have given their consent in writing that they have examined the child study report and accept the proposed child.

Part VIII

I, Shri./Smt. Officer-in-charge
Superintendent.....

hereby certify that the information given in this form about the child is correct.

I also enclose here with the certificate/ attested copies of the following documents.

1. Copy of the order declaring the child free for adoption.
2. Copy of the report of the Probation Officer.
3. And other documents mentioned in Rule of the Juvenile Justice (Care and Protection of Children), Kerala Rules, 2013.

Place:

Signature

Date:

Name, Designation

PHYSICAL EXAMINATION REPORT

(To be filled in by the examining physician)

Name of the child :

Sex :

Age :

Date of Birth :

Colour Hair :

Skin :

Eyes :

Height :

Weight :

Head (Circumference) :

Feet(any defect) :

Vision :

Nose :

Teeth(Number and condition) :

Chest :

Posture :

Heart :

Spine :

Nervous system :

Legs :

Reflexes :

Abdomen :

Hearing :

Any defects :

any other remarks :

Immunizations

1st

2nd

3rd B.C.G.

Small Pox :

Triple Antigen :

Medical Evaluation:

(Any pertinent information regarding physical condition of the child)

General condition of mental and physical development

Observation of the Doctor

FORM XXXVI
[See Rule 41(d)(ix)]

DECLARATION OF WILLINGNESS OF THE ADOPTIVE
PARENTS

Before the Honourable District Court....., at.....

O.P. No. of 20...

In the matter of , a minor.

AB : Petitioner/Petitioners

CD : Respondent/Respondents

DECLARATION OF WILLINGNESS OF THE ADOPTIVE PARENT(S)
TO TAKE THE CHILD IN ADOPTION [filed under sub-rule (ix) (d)
of Rule 41 of Juvenile Justice (Care and Protection of Children)
Kerala Rules, 2014]

I/We, the undersigned.....aged.....,
son of Sri..... and
aged....., wife of Mr.
.....residing at.....

....., the petitioner(s) in the above case, do
hereby declare my/our willingness and consent to adopt as my/our son/
daughter, the above named child, in case this Honourable Court thinks fit
to allow this Original Petition.

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

1st Petitioner :

2nd Petitioner:

Signed in the presence of Witnesses:

(1)

(2)

FORM XXXVII
(See Rule 41(d)(x)]

DECLARATION OF WILLINGNESS OF THE INSTITUTION TO
GIVE THE CHILD UNDER ADOPTION

Before the Honourable District Court,

O.P. No..... of 20.....

In the matter of , a minor.

Petitioner/Petitioners

Respondent

Declaration of willingness of the institution to give the child under adoption under sub-clause (x) of clause (d) of Rule 41 of the Juvenile Justice (Care and Protection of Children) Kerala Rules, 2014.

I/We, the undersigned
(name/names Institution) represented by its
office, at....., the respondent(s) in the above case; do hereby
declare my/our willingness and consent to give the above said child in
adoption to the petitioners in case this Honourable District Court thinks fit
to allow this Original Petition.

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

Respondent, represented by its Official

(1) Name, Address and Signature

(2) Name, Address and Signature

APPLICATION FOR CERTIFICATE OF REGISTRATION RECOGNITION

To

**The Secretary to the Government,
Department of Social Justice,
Government Secretariat,
Thiruvananthapuram.**

1. Full name of the applicant or association :
 - (a) Address :
 - (b) Phone number :
 - (c) E-mail ID :
 - (d) Fax No. :
2. Religion :
3. The law under which the institution or the association is formed whether under the Travancore Cochin Literary Scientific and Charitable Societies Act, 1955 or under the Societies Registration Act, 1860 or under the Indian Trust Act, 1882 or under any other Act :
4. Locality or territorial area of activities :
5. Residence (town or village) :
(in case of association particulars regarding item 2 in respect of each member)
6. Name of institution :
 - (a) Address :
 - (b) Phone number :
 - (c) E-mail ID :
 - (d) Fax No. :
7. Aims and objectives :
8. Details about the financial condition of the institution, funds, property and source of income :
9. Services offered by the agency :

10. If children's home

- (a) arrangements made or :
proposed to be made for
boarding and lodging and
also details of the building
whether owned by the institution
or rented;
 - (b) arrangements in respect of :
general health of inmates and
facilities for their medical treatment
and arrangements proposed to
be made for the educational
vocational moral training;
 - (c) maximum number of :
accommodation;
 - (d) age group and sex group; and :
 - (e) number of particulars of the :
inmates at the time of starting
11. If any application has been made :
previously, if so, its results together
with its date, month and year
12. If the institution exists at present :
the date of its commencement
13. Any other particulars :

It is prayed that the institution or agency particulars of which is given above and in the annexure hereto may be certified/recognized as an agency/institution for children—under section 8.9.34, 37, 41(4) and 44 of the Act.

I/WeÖÖÖÖÖÖ hereby solemnly affirm and declare that I/we are ready and willing to meet the standards of care laid down in the Act and the rules and guidelines issued by Central Adoption Resource Agency ; to receive and provide basic services for care and protection of the juveniles and children; to prevent subjection of juvenile or child to any form of cruelty or exploitation or neglect; and abide by the orders of the competent authority and that the above and annexed particulars are true and correct according to my/our best of knowledge and belief.

Place:

Date :

Signature/Signatures

(Office seal)

FORM XXXIX

[See Rule 85(2)]

CERTIFICATE OF RECOGNITION

- (1) No. of certificate of recognition :
- (2) Name and full address of the institution/agency :
- (3) Name and full address of the manager :
- (4) The nature of the service offered by the agency :
- (5) The nature of the home whether shelter home, children's home, (its age group, sex group) short stay home or for home for street children or for orphans or for one or more of these classes :
- (6) The maximum number of inmates that can be admitted :
- (7) The minimum standards regarding boarding, lodging, clothing, sanitation, health and hygiene. etc. :
- (8) The standard of education or training to be provided in the or outside the home :
- (9) Other conditions, if any, prescribed by Government or competent authority :
 - (i) This certificate is granted subject to all the provisions of the Juvenile Justice (care and protection of children) Act, 2000 and the rules thereunder. :
 - (ii) The organization shall comply with the standards or services as laid down under the Act and the rules framed thereunder, from time to time and to ensure an all round growth and development of juvenile or child placed under its charge :

- (iii) The certificate shall not be transferable. :
- (iv) The certificate shall remain in force for 3/5 years from the date of issue. :
- (v) The certificate is granted on condition that the person in charge of a girls home shall be a woman(may be deleted when it is not necessary to have this condition under the rules.) :

Place :

Date :

*Secretary to Department of Social Justice,
Government of Kerala*

FORM XL

[See Rule 36 (1) (a) and 84]

2000-ലെ ജുവനൈൽ ജസ്റ്റീസ് (കെയർ ആന്റ് പ്രൊട്ടക്ഷൻ ഓഫ് ചിൽഡ്രൻസ്) ആക്ട് സെക്ഷൻ 34(3) പ്രകാരം ശ്രദ്ധയും പരിരക്ഷയും ആവശ്യമായ കുട്ടികൾക്കുവേണ്ടിയുള്ള സ്ഥാപനങ്ങൾ (FIT INSTITUTION) രജിസ്ട്രേഷനുവേണ്ടി സമർപ്പിക്കുന്നതിനുള്ള അപേക്ഷ

I.

- | | |
|-------------------------|---|
| (1) സ്ഥാപനത്തിന്റെ പേര് | : |
| (2) വിലാസം | : |
| (3) ഫോൺ നമ്പർ | : |
| (4) ഇ-മെയിൽ അഡ്രസ് | : |
| (5) ഫാക്സ് | : |

II.

- | | |
|--------------------------------------|---|
| (1) സ്ഥാപനം നടത്തുന്ന സംഘടനയുടെ പേര് | : |
| (2) വിലാസം | : |
| (3) ഫോൺ നമ്പർ | : |
| (4) ഇ-മെയിൽ അഡ്രസ് | : |
| (5) ഫാക്സ് | : |

III. സ്ഥാപനത്തിന്റെ ഉദ്ദേശ്യ ലക്ഷ്യങ്ങൾ :
(ഹ്രസ്വവിവരണം)

IV. സ്ഥാപനത്തിലെ വിവിധതരം ജീവനക്കാരുടെ :
എണ്ണം, ജോലിയുടെ സ്വഭാവം, ശമ്പളം
എന്നിവ

V.

- | | |
|---|---|
| (1) മറ്റേതെങ്കിലും നിയമപ്രകാരം :
രജിസ്റ്റർ ചെയ്തിട്ടുണ്ടെങ്കിൽ ആ വിവരം | : |
| (2) ഇതു സംബന്ധിച്ച് സമർപ്പിക്കുന്ന രേഖകൾ/
വിവരങ്ങൾ | : |

- (3) സ്ഥാപനം സർക്കാർ/സന്നദ്ധ സംഘടന :
- (4) ഈ സ്ഥാപനത്തിന് മറ്റ് ജില്ലകളിലോ :
മറ്റു സംസ്ഥാനങ്ങളിലോ ശാഖകൾ
ഉണ്ടെങ്കിൽ ആ വിവരം
- (5) സ്ഥാപനം ആരംഭിച്ച തീയതി :
- (6) സ്ഥാപനത്തിൽ പ്രവേശിപ്പിക്കാവുന്ന :
കുട്ടികളുടെ എണ്ണം
- (7) സ്ഥാപനത്തിൽ ഇപ്പോൾ ഉള്ള കുട്ടികളുടെ :
എണ്ണം (ആൺ/പെൺ വിഭാഗങ്ങൾ
പ്രത്യേകം കാണിക്കുക)
- (8) സ്ഥാപനം ആൺകുട്ടികൾ/പെൺകുട്ടികൾക്ക് :
വേണ്ടിയുള്ളത്
- (9) സ്ഥാപനത്തിന്റെ കെട്ടിടത്തിന്റെ വിസ്തീർണ്ണം :
- (10) കെട്ടിടം സ്ഥിതിചെയ്യുന്ന കോമ്പൗണ്ടിന്റെ :
വിസ്തീർണ്ണം
- (11) സ്ഥലത്തിന്റെ സർവ്വേ നമ്പർ :
- (12) കുട്ടികൾക്ക് ഉറങ്ങുന്നതിനുള്ള സ്ഥലത്തിന്റെ :
വിസ്തീർണ്ണം
- (13) കുട്ടികൾക്കുള്ള കുളിമുറി, കക്കൂസ് :
എന്നിവയുടെ എണ്ണം
- (14) സ്ഥാപനത്തിന്റെ കെട്ടിടം ഓട് മേഞ്ഞത്/ :
കോൺക്രീറ്റ്/മറ്റുള്ളവ
- (15) പ്രായവ്യത്യാസം അനുസരിച്ച് കുട്ടികളെ :
താമസിപ്പിക്കാൻ സൗകര്യം ലഭ്യമാണോ
- (16) ഇപ്പോൾ കുട്ടികളെ പ്രായംതിരിച്ചാണോ :
താമസിപ്പിക്കുന്നത് എന്ന് വ്യക്തമാക്കണം
- (17) കുട്ടികളെ പുനരധിവാസിപ്പിക്കാനുള്ള :
സംവിധാനത്തെക്കുറിച്ചുള്ള വിവരണം
- (18) സ്ഥാപനം പ്രവർത്തിപ്പിക്കാനുള്ള സാമ്പത്തിക :
സ്രോതസ്സ്

- (19) വിദേശ ധനസഹായം ലഭിക്കുന്ന : ആണ്/അല്ല സ്ഥാപനമാണോ
- (20) വിദേശ ധനസഹായം ലഭിക്കുന്ന സ്ഥാപന : മാണെങ്കിൽ രജിസ്ട്രേഷൻ നമ്പർ, തീയതി
- (21) സ്ഥാപനത്തിലെ കുട്ടികളുടെ വിദ്യാഭ്യാസ : സൗകര്യങ്ങൾ
- (22) സ്ഥാപനത്തിലെ കുട്ടികളുടെ തൊഴിൽ : പരിശീലനത്തിനുള്ള സൗകര്യങ്ങൾ
- (24) കുട്ടികൾക്ക് വിനോദത്തിനുള്ള സൗകര്യം, : കുട്ടികളുടെ കളിസ്ഥലത്തിന്റെ വിസ്തീർണ്ണം
- (25) സ്ഥാപനത്തിലൂടെ നൽകുന്ന സേവനങ്ങൾ :

VI. രജിസ്റ്റർ ചെയ്യുന്നതിന് അപേക്ഷയോടൊപ്പം സമർപ്പിക്കേണ്ട സാക്ഷ്യപ്പെടുത്തിയ രേഖകൾ

1. സംഘം രജിസ്ട്രേഷൻ സർട്ടിഫിക്കറ്റ്/ട്രസ്റ്റ് ഡീഡ്
2. മെമ്പോറാണ്ടം ഓഫ് അസ്സോസിയേഷൻ
3. സ്ഥാപനത്തിന്റെ നിയമാവലി
4. ഭരണസമിതി അംഗങ്ങളുടെ ലിസ്റ്റ്
5. ഭാരവാഹികളുടെ ലിസ്റ്റ്
6. സംഘടനയുടെ അംഗങ്ങളുടെ ലിസ്റ്റ്
7. കഴിഞ്ഞ വർഷങ്ങളിൽ കുട്ടികളുടെ സംരക്ഷണത്തിനായി നടത്തിയ പ്രവർത്തനത്തിന്റെ റിപ്പോർട്ട്
8. കഴിഞ്ഞ വർഷങ്ങളിൽ നടത്തിയ സാമൂഹ്യപ്രവർത്തനത്തിന്റെയും പൊതുപ്രവർത്തനത്തിന്റെയും റിപ്പോർട്ട്
9. കഴിഞ്ഞ മൂന്ന് വർഷത്തെ ബാലൻസ് ഷീറ്റിന്റെ കോപ്പിയും/ ഓഡിറ്റ് റിപ്പോർട്ടും
10. സ്ഥാപനത്തിന്റെ ബാങ്ക് അക്കൗണ്ടിന്റെ വിവരങ്ങൾ
11. കെട്ടിടത്തിന്റെയും കോമ്പൗണ്ടിന്റെയും പ്ലാൻ

VII.എന്ന ഞാൻ/ ഞങ്ങൾ നിഷ്കളങ്കമായി സത്യം ചെയ്തു. 2000-ലെ ജുവനൈൽ ജസ്റ്റീസ് (കെയർ ആന്റ് പ്രൊട്ടക്ഷൻ ഓഫ് ചിൽഡ്രൻസ്) ആക്ടിന്റെ വ്യവസ്ഥകൾ പ്രകാരവും കേരള ഗവൺമെന്റും സെൻട്രൽ അഡോപ്ഷൻ റിസോഴ്സ് ഏജൻസിയും രൂപപ്പെടുത്തിയ ചട്ടങ്ങളും മാർഗ്ഗനിർദ്ദേശങ്ങളും പാലിച്ച് ഞങ്ങൾ പ്രവർത്തിച്ചുകൊള്ളാമെന്നും ഞങ്ങളുടെ സംരക്ഷണത്തിലുള്ള

കുട്ടികളുടെ അവകാശങ്ങൾ സംരക്ഷിച്ചും കുട്ടികൾക്കെതിരെ യാതൊരു വിധത്തിലുള്ള ശാരീരികമോ, മാനസികമോ ആയ അതിക്രമങ്ങളും കാട്ടാതെയും അവരെ യാതൊരുവിധ ചൂഷണങ്ങൾക്കും ഇരയാക്കാതെയും അവരോട് യാതൊരു അവഗണനയും കാട്ടാതെയും അവരെ സംരക്ഷിച്ചുകൊള്ളാമെന്നും നിയമപ്രകാരമുള്ള അധികാരികൾ നൽകുന്ന നിർദ്ദേശങ്ങളും ഉത്തരവുകളും അനുസരിച്ചുകൊള്ളാമെന്നും ഇതിനാൽ ഞങ്ങൾ സത്യം ചെയ്ത് ഉറപ്പുനൽകുന്നു.

VIII. ഈ അപേക്ഷയിൽ വിവരിച്ചിരിക്കുന്ന സ്ഥാപനത്തിന് 2000-ലെ ജൂവനൈൽ ജസ്റ്റീസ് (കെയർ ആന്റ് പ്രൊട്ടക്ഷൻ ഓഫ് ചിൽഡ്രൻസ്) ആക്ടിലെ 34-ാം വകുപ്പിന്റെ 3-ാം ഉപവകുപ്പനുസരിച്ച്..... പ്രായത്തിലുള്ള ആൺ/പെൺ കുട്ടികളെ സംരക്ഷിക്കുന്നതിനുള്ള ചിൽഡ്രൻസ് ഹോമായി/ഒബ്സർവേഷൻ ഹോമായി/സ്‌പെഷ്യൽ ഹോമായി/ഷോർട്ട് സ്റ്റേ ഹോമായി/..... രജിസ്ട്രേഷൻ നൽകണമെന്ന് അപേക്ഷിച്ചുകൊള്ളുന്നു.

ഈ അപേക്ഷയിൽ പറയുന്ന എല്ലാ പ്രസ്താവനകളും ഇതിനോടൊപ്പം സമർപ്പിക്കുന്ന എല്ലാ രേഖകളും എന്റെ അറിവിൽ സത്യസന്ധമാണെന്ന് ഇതിനാൽ സാക്ഷ്യപ്പെടുത്തുന്നു.

ഒപ്പ് :

പേര് :

സ്ഥലം :

തീയതി:

ഔദ്യോഗിക പദവി:

(ഔദ്യോഗിക മുദ്ര)

ഓഫീസ് ആവശ്യത്തിന്

ജില്ലാ പ്രൊബേഷൻ ഓഫീസറുടെ/ജില്ലാ സാമൂഹ്യക്ഷേമ ഓഫീസറുടെതീയതിയിലെ ശുപാർശ പ്രകാരം.....
.....പേരുള്ള സ്ഥാപനത്തിന്.....
തീയതിയിലെ/20...../
രജിസ്ട്രേഷൻ നമ്പർ AS FIT INSTITUTION INITIALLY FOR THREE YEARS
അനുവദിച്ചുനൽകുന്നു.

ഒപ്പ് :

സ്ഥലം :

പേര് :

തീയതി :

സാമൂഹ്യക്ഷേമവകുപ്പ് സെക്രട്ടറി.

FORM XLI

[See rule 85(3)]

CERTIFICATE AS FIT PERSON

This is to certify that Shri/Smt.

.....
 ÖÖÖÖÖÖÖ.....ÖÖ..(Name and address of the person)
 has applied to be declared as fit person under rule 84(3) of the Kerala
 Juvenile Justice (Care and Protection of Children) Rules, 2014. In this
 regard it is declared that he/she is a fit person to receive children for their
 care and protection.

Conditions for issuing certificate

- (i) This Certificate is granted subject to all the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2000 and the rules thereunder.
- (ii) Maximum number of children that can be received is five only at a time.
- (iii) The organization shall comply with the standards or services as laid down under the Act and the rules framed thereunder, from time to time and ensure an all round growth and development of juvenile or child placed under his/her charge.
- (iv) The certificate shall not be transferable.
- (v) The certificate shall remain in force for 3/5 years from the date of issue.

Place:

Date:

Secretary to Department of Social Justice.

FORM XLII

[See rule 36 (a)]

CERTIFICATE OF REGISTRATION OF CHILD CARE INSTITUTION

[Registered under sub-section (3) of section 34 of the Juvenile Justice
(Care and Protection of Children) Act, 2000]

This is to certify that

.....
.....

(Name and address of the institution) is registered under sub-section (3) of section 34 of the Juvenile Justice (Care and Protection of Children) Act, 2000 with Registration number /20..... as a children's home/special home/after care home/home for children with special needs with the capacity of..... male/female children in the age group of

Conditions for issuing certificate:

- (i) This certificate is granted subject to all the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2000 and the rules thereunder.
- (ii) Maximum number of inmates that can be admitted is
- (iii) The organization shall comply with the standards or services as laid down under the Act and the rules framed thereunder, from time to time and ensure an all round growth and development of juvenile or child placed under its charge.
- (iv) The certificate shall not be transferable.
- (v) The certificate shall remain in force for 3/5 years from the date of issue.

Place:

Date :

Secretary to Department of Social Justice.

FORM XLIII
[See rule 86(4)]

REGISTER OF JUVENILE JUSTICE INSTITUTION

[Registered under sub-section (3) of section 34 of the Juvenile Justice
(Care and Protection of Children) Act, 2000]

1	2	3	4	5	6	7	8	9
Sl. No.	Name and address of the organisation	Locality/Territorial limit of activity	Date of Registration	Number assigned (with grading)	Name and full address of office bearers and officer in charge or superintendent	Important activities	Performance (to be recorded after one year from the date of registration with reference to activity file)	Remarks

ബാലനീതി സ്ഥാപനങ്ങളുടെ പ്രതിമാസ പുരോഗതി റിപ്പോർട്ട്

മാസം.....2011

1. സ്ഥാപനത്തിന്റെ പേരും മേൽവിലാസവും :
2. സ്ഥാപനം ആരംഭിച്ച തീയതി :
3. അനുവദിക്കപ്പെട്ടവരുടെ എണ്ണം :
4. മാസാദ്യം ഉണ്ടായിരുന്നവരുടെ എണ്ണം :
5. തന്മാസം വിടുതൽ ചെയ്തവരുടെ എണ്ണം :
6. മറ്റ് സ്ഥാപനങ്ങളിലേക്ക് അയച്ചവരുടെ എണ്ണം :
7. തന്മാസം പ്രവേശിപ്പിച്ചവരുടെ എണ്ണം :
8. മാസാവസാനം ഉള്ളവരുടെ എണ്ണം :
9. കുട്ടികൾക്ക് ഏർപ്പെടുത്തിയിട്ടുള്ള തൊഴിൽ പരിശീലനങ്ങൾ :
10. സ്ഥാപനത്തിൽ മെഡിക്കലാഫീസറുടെ സേവനം ലഭ്യമാണോ, എങ്കിൽ മാസത്തിൽ എത്ര തവണ :
11. തന്മാസത്തിൽ ആശുപത്രിയിൽ കിടത്തി ചികിത്സ നൽകേണ്ടിവരുന്നവരുടെ എണ്ണം :

പുനരധിവാസം

1. തന്മാസത്തിൽ പുനരധിവാസിപ്പിക്കപ്പെട്ടവരുടെ എണ്ണം :
2. തന്മാസം അവധിയിൽ പ്രവേശിച്ചവർ :
3. തന്മാസം അവധി കഴിഞ്ഞ് വന്നവർ :
4. ശാരീരിക വെല്ലുവിളി നേരിടുന്ന കുട്ടികളുടെ എണ്ണം :
5. മാനസിക വെല്ലുവിളി നേരിടുന്ന കുട്ടികളുടെ എണ്ണം :

അനുവദിക്കപ്പെട്ട തസ്തികയും ജീവനക്കാരും

1	2	3	4	5	6
ക്രമ നമ്പർ	തസ്തിക	അനുവദിക്കപ്പെട്ടത്	നിലവിലുള്ളത്	ഒഴിവ്	പേര്
1	സൂപ്രണ്ട്				
2	ഡെപ്യൂട്ടി സൂപ്രണ്ട്				
3	ഹെഡ് ക്ലാർക്ക്				
4	യു. ഡി. ക്ലാർക്ക്				
5	ഇൻസ്ട്രക്ടർ				
6	ഭാഗവതർ				
7	ഡാൻസ് മാസ്റ്റർ				
8	ടൈപ്പിസ്റ്റ്				
9	പ്യൂൺ				
10	ആയ				
11	സ്കാവഞ്ചർ				
12	നഴ്സിംഗ് അസിസ്റ്റന്റ്				
13	കൂക്ക്				
14	കെയർടേക്കർ (മെയിൽ)				
15	കെയർടേക്കർ (ഫീമെയിൽ)				
16	കെയർടേക്കർ (ഡെയിലി വേജസ്)				
17	പാർട്ട്ടൈം മെഡിക്കലാഫീസർ				
18	പാർട്ട്ടൈം സൈക്കോളജിസ്റ്റ്				
19	കേസുവർക്കർ				
20	ടീച്ചർ				
ആകെ					

1. സ്ഥാപനത്തിലെ കുട്ടികളുടെ വിവരം

1	2	3	4
ക്രമ നമ്പർ	പഠിക്കുന്ന ക്ലാസ്	കുട്ടികളുടെ എണ്ണം	പഠിക്കുന്ന സ്കൂളിന്റെ പേര്
1	I ó IV		
2	V ó VII		
3	VIII ó X		
4	+1		
5	+2		
6	Degree		
7	മറ്റ് കോഴ്സുകൾ (1)..... (2)..... (3)..... (4)..... (5).....		
8	ഡീ ഇൻസ്റ്റിറ്റ്യൂഷൻ ക്ലാസ് +1 +2		
9	പഠിക്കാതിരിക്കുന്ന കുട്ടികൾ		
10	മറ്റു സംസ്ഥാനക്കാരായ കുട്ടികൾ		
ആകെ			

2. സ്ഥാപനത്തിലെ ചെലവ് സംബന്ധിച്ച വിവരം

ക്രമ നമ്പർ	ഹെഡ്	തന്മാസത്തെ ചെലവ് (രൂപ)	വർദ്ധമാന ചെലവ്
1	2	3	4
1	2235-02-106-99		
2	2235-02-102-61		
3	മറ്റുള്ളവ		

3. സ്ഥാപനത്തിന് തദ്ദേശസ്ഥാപനങ്ങളിൽ/പൊതുജനങ്ങളിൽ/സുഹൃദ് സമിതിയിൽ നിന്ന് ലഭിച്ച സഹായങ്ങളുടെ ഇനം തിരിച്ച വിവരം

ക്രമ നമ്പർ		എണ്ണം	തുക (രൂപ)
1	പ്രാതൽ		
2	സദ്യ		
3	ലഘു ഭക്ഷണം		
4	അത്താഴം		
ആകെ			

- ചെൽഡ് വെൽഫെയർ കമ്മിറ്റി (സ്ഥാപന പരിസരത്ത് :
വച്ച് യോഗം ചേർന്ന ദിവസങ്ങൾ)
- ജൂവനൈൽ ജസ്റ്റിസ് ബോർഡ് (സ്ഥാപന പരിസരത്ത് :
വച്ച് യോഗം ചേർന്ന ദിവസങ്ങൾ)
- മറ്റെന്തെങ്കിലും അടിയന്തിര പ്രാധാന്യമുള്ള പ്രശ്നം :

സ്ഥലം:

തീയതി:

സ്ഥാപനം

ഒപ്പ്:

സുപ്രണ്ട്.

To

- സാമൂഹ്യനീതി ഡയറക്ടർ, തിരുവനന്തപുരം
- ജില്ലാ സാമൂഹ്യനീതി ഓഫീസർ.

FORM A
(See rule 43)

APPLICATION FOR LICENSE FOR IN-COUNTRY ADOPTION
IN KERALA

1. (a) Name and complete address : Ö Ö Ö Ö Ö Ö Ö Ö Ö Ö Ö Ö Ö Ö
of the organisation Ö Ö Ö Ö Ö Ö Ö Ö Ö Ö Ö Ö Ö Ö
 Ö Ö Ö Ö Ö Ö Ö Ö Ö Ö Ö Ö Ö Ö

Fax Ö Ö Ö Ö Ö Ö Ö Ö Ö Ö Ö Ö

Email Ö Ö Ö Ö Ö Ö Ö Ö Ö Ö

Phone Ö Ö Ö Ö Ö Ö Ö Ö

Mobile
- (b) Name and address of :
Director/Manager
2. Name of the Act under which :
the organisation is registered
3. No. and date of Registration :
4. Foundling Home/Orphanage : 1. Foundling Home
Recognition No. and date with 2. Orphanage
period of validity
5. Whether a member of State :
Adoption Resource Agency if
so give details
6. Sanctioned strength of the : 1. Foundling Home
Foundling and or Orphanage 2. Orphanage
Home
7. Details of infrastructural facilities :
available with the organisation
- (a) Living space for children :
(sq. ft.) (agewise)
- (b) Playing space (sq. ft.) :
(agewise)

- (c) Sanitary facilities (sq. ft.) :
(agewise)
- (d) Other facilities (specify) :
- 8. Maximum number of children :
that can be accommodated
- 9. Whether application has been :
submitted previously, if so give
details
- 10. Details of child welfare :
activities undertaken by the
organisation during the last 2
years (attach separate report)
- 11. Signature of the applicant with :
date

Declaration

The particulars furnished above are correct and true to the best of my knowledge, belief and information.

Place :

Date :

Signature of applicant.

Enclosures to be attached with the application :

- (a) Copy of the Registration Certificate
- (b) Copy of the Foundling Home and Orphanage recognition
- (c) List of office bearers of the parent organisation
- (d) Copy of the bye-law and memorandum of association of the organisation
- (e) Minutes of the last general body meeting in which the present office bearers were elected
- (f) A detailed report of the organisation showing the various services rendered and programmes conducted during the last two years
- (g) Audited statement of accounts for the last two years.

FORM-B

(See rule 43)

GOVERNMENT OF KERALA

Department of Social justice

CERTIFICATE OF LICENSE FOR IN-COUNTRY ADOPTION

[Vide sec. 41 (4) of the JJ Act 2000 r/w Rule 37 (1) & 42 of
Kerala JJ Rules 2003]

1. Certificate No. :
2. Date of issue of certificate : D...../M/ Y
3. Period of validity of certificate : From To
4. Name and address of the :
organisation
5. Particulars of existing statutory :
registration of the organisation
 - (a) Reg. No.(s) of the :
organisation with Date
 - (b) F o u n d l i n g H o m e :
Recognition No. and date
with period of validity
 - (c) Orphanage Recognition No. :
and date with period of
validity
6. Maximum number of children :
that can be accommodated at
a time

This license is issued subject to the conditions stipulated in the Rules and Regulations for In-Country Adoption notified by the Government of Kerala and such other conditions and directions as issued from time to time. This license is liable to be revoked at any time by the Government of Kerala after a reasonable opportunity being given to the concerned organisation.

(Sd.)

*Secretary to Government
Department of Social Welfare.*

Place :

Date :

FORM-C

(See rule 43)

APPLICATION FOR RENEWAL LICENSE FOR IN-COUNTRY
ADOPTION IN KERALA

1. (a) Name and complete address :
of the organisation
.....
Fax
Email
Phone Mobile.....
- (b) Name and address of :
Director/Manager
2. Name of the Act under which :
registered
3. No. and Date of the existing :
certificate of license issued by
Government of Kerala with
period of validity
4. Date on which license accorded :
for the first time
5. Number of children permitted :
to accommodate
6. Present strength of children :
7. No. of children placed for final :
adoption for the last 3 years
8. Whether any action is taken :
against the agency for violation
of rules (if so give details)
- (a) Living space for children :
(Sq. ft.) (agewise)
- (b) Playing space (Sq. ft.) :
(agewise)

- (c) Sanitary facilities (Sq. ft.) :
(agewise)
- (d) Other facilities (Specify) :
9. Maximum number of children : Below 5 years
that can be accommodated : Above 5 years
10. Whether application has been :
submitted previously, if so give
details

Declaration

The particulars furnished above are true and correct to the best of my knowledge, belief and information.

Place :

Date : Signature of applicant.

Enclosures to be attached with the application :

- (a) True Copy of the existing license
- (b) Copy of the Foundling Home/Orphanage recognition certificate
- (c) List of Office bearers of the parent organisation
- (d) Minutes of the last general body meeting in which the present office bearers were elected
- (e) A detailed report of the organisation showing the various services rendered and programmes conducted for the last 2 years
- (f) Audited statement of accounts for the last 2 years
- (g) True copy of the inspection note of the State/Central inspecting authorities for the last 2 years.

SCHEDULE-I

(See rule 54)

Clothing, bedding, toiletries and other articles (rule 41)

(1) Juveniles or children shall be provided with the following articles:

<i>Sl.No.</i>	<i>Article</i>	<i>Quantity to be provided per child</i>
Bedding		
1	Towels	4 per Year
2	Cotton Bed Sheets	2 Per 2 Years
3	Pillow (Cotton stuffed)	1 Per 2 Years
4	Pillow Covers	2 Per 2 Years
5	Woolen blankets	2 Per 2 Years
6	Cotton Durry	2 Per 2 Years
7	Cottom filled quilt	1 Per 2 Years (in cold regions)
8	Mattress	1 Per 2 Years
9	Mosquito Net	1 Per 2 Years
Clothing for girls		
1	Skirts & Blouse or Salwar Kameez or Half Sari with blouses and petticoats	5 sets per year for girls depending on age and regional preferences
2	Banyans (1 Metre each)	6 per year for younger girls
3	Brassieres	6 per year for older girls
4	Panties (1 Metre Cloth each)	6 per year
5	Sanitary Towels	12 packs per year for older girls
6	Woolen Sweaters	2 in 2 years (in cold regions)
7	Woolen Shawls	1 in 2 years (in cold regions)

<i>Sl.No.</i>	<i>Article</i>	<i>Quantity to be provided per child</i>
Clothing for boys		
1	Shirts	5 sets per year
2	Shorts	5 sets per year for younger boys
3	Pants	5 sets per year for Folder boys
4	Vest	4 sets per year
5	Underwear	4 sets per year
6	Woollen Jerseys	2 in 2 years (for cold regions)
7	Scarts	2 in 2 years (for cold regions)
Miscellaneous Articles		
1	Slippers	1 pair per year
2	Shoes	1 pair per year
3	School Uniform	2 sets per year for children attending outside schools
4	School Shoes	1 pair per year for children attending outside schools
5	School Bag and Stationery	1 set per year for children attending outside schools
6	Handkerchiefs	6 per year

Note: 6

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

*Night clothing & bedding**Scale for supply*

- | | |
|---|----------------------------|
| 1. Mattress | One per bed per 3 years |
| 2. Cotton Bed Sheets | Four per bed per year |
| 3. Pillows | One per bed per two years |
| 4. Pillow Covers | Four per bed per year |
| 5. Woollen blankets | One per bed per 2 years |
| 6. Pyjamas and loose shirts
(Hospital type for boys) | 3 pairs per child per year |
| 7. Skirts and blouses or
salwarkameez for girls | 3 pairs per child per year |

Cotton durry

One per bed per three years

- (ii) When a child is admitted as an in-patient in the institution Hospital, the Institution Doctor shall issue the in-patient with the hospital clothing, the clothes on body being preserved, duly washed and handed back, at the time of the child's discharge from the hospital.
- (iii) Each child shall be provided with Kit Box or a Locker, as per convenience and necessity.
- (iv) The Superintendent shall make arrangements for two-tier bed system in place of conventional costs, as per convenience and necessity.
3. Toiletry: Every resident of the Home shall be issued with oil, soap, and other material for in accordance with the following scales:
- | | |
|--------------------------------|--|
| Hair oil for grooming the hair | : 100 mgs per month |
| Toilet soap | : 2 numbers per month |
| Tooth paste and brush | : 1 Brush per 3 months 50 gms
paste per month |
| Comb | : 1 per year. |

4. For washing for cloth and towels, bed sheet etc., the following scale may be followed:

- (i) Washing Soap : 1 large bar soap for one month (125 gms)
- (ii) Whitening/bleaching agent : to the extent required only for white clothing.

Provided, however, the hospital clothing is not mixed with other clothing at the time of washing and if necessary, the Superintendent can issue the above items separately for washing of hospital clothing.

(b) The children attending school outside the institution may be issued with one additional bar of washing soap (100 gms) per hand per month for washing their school uniform.

5. The following items shall be provided for maintaining the Homes in a healthy and sanitary condition:

<i>Item</i>	<i>Scale of supply</i>
1. Broom Stick	25 to 40 Nos. per month depending on the area of the institution.
2. DDT Spray	As per the institution Doctor's advice
3. Effective bugs killing agent	As required
4. Phenyl and cleaning acid (daily)	Depending on the area of lavatories to be cleaned as per institution Doctor's advice.

SCHEDULE-II

(See rule 57)

Nutrition and Diet Scale (Rule 44)*1 Juveniles or children shall be provided with the following articles:*

<i>Name of the article of diet</i>		<i>Scale per head per day</i>
(1)		(2)
1.	Rice/Wheat/Ragi/Jowar	600 Gms., (700 Gms. for 16-18 yrs. age) of which at least 100 gms to be either Wheat or Ragi or Jowar.
2.	Dal/Rajma/Chana	120 Gms.
3.	Edible Oil	25 Gms.
4.	Onion	25 Gms.
5.	Salt	25 Gms.
6.	Turmeric	05 Gms.
7.	Coriander Seed Powder	05 Gms.
8.	Ginger	05 Gms.
9.	Garlic	05 Gms.
10.	Tamarind/Mango Powder	05 Gms.
11.	Milk (at breakfast)	150 ml.
12.	Dry Chillies	05 Gms.
13.	Vegetables Leafy	100 Gms.
	Non-leafy	130 Gms.
14.	Curd or Butter Milk	100 Gms./Ml.
15.	Chicken once a week or Eggs 4 days	115 Gms.
16.	Jaggery & Ground Nut Seeds or Paneer (Vegetarian only)	60 Gms. each (100 Gms. for paneer) Once in a week.
17.	Sugar	40 Gms.

(1)	(2)
<i>Following items for 50 children per day</i>	
18. Pepper	25 Gms.
19. Jeera Seeds	25 Gms.
20. Black Gramdall	50 Gms.
21. Mustard Seeds	50 Gms.
22. Ajwain Seeds	50 Gms.
<i>On Chicken Day for 10 Kg. for Chicken</i>	
23. Garam Masalas	10 Gms.
24. Kopra	150 Gms.
25. KhasKhas	150 Gms.
26. Groundnut oil	500 Gms.
27. Bread	500 Gms.
28. Milk	500 MI
<i>Other Items</i>	
29. LP Gas for Cooking only	

2 Variation in Diet :

- (a) Three varieties of dal i.e., Toor (Tuvvari), Moong (Green Gram) and Chana (Bengal Gram) may be issued alternatively.
- (b) The Superintendent may also arrange to substitute chicken with fish at his discretion, provided that there is no extra expenditure to Government.
- (c) On non-vegetarian days, vegetarian children shall be issued with either 60 Gms. of Jaggery/one banana and 60 Gms. of Groundnut seeds per head in the shape of laddus or any sweet dish or 100 gms. paneer.
- (d) Potatoes shall be issued in lieu of vegetables once in a week.
- (e) Leafy vegetables such as Fenugreek (Methi), Spinach (Palak), Sarson (Mustard Leaves), Gongura Thotakura or any other

saag etc., may also be issued once in a week. If a kitchen garden is attached to any institution leafy vegetable, in addition to drumstick trees, curry leaves trees and coriander leaves. should be grown and supplied and the Superintendent should try to supply variety of vegetables and see that the same vegetable is not repeated for at least a period of one week.

- (f) The Superintendent may make temporary alternations in the scale of diet in individual cases when considered necessary by him or on the institution Doctor's advice subject to the condition that the scale laid down is not exceeded.

3 *Meal Timing and Menu:*

- (a) Breakfast after 8.00 a.m.

- (i) Upma or chapattis made of Wheat or Ragi or any other dish.

- (ii) Chutneys form Gongura or fresh curry leave or fresh coriander or Coconut and Putinadal etc.

dal/vegetable may be issued as a dish.

- (iii) Milk

- (iv) any seasonal fruit in sufficient quantity.

- (b) Lunch at 1.00 p.m. and Dinner After 7.00 p.m.

- (i) Rice/Chapattis or combination of both

- (ii) Vegetable curry

- (iii) Sambar or Dal

- (iv) Butter Milk or curd

4 *Others:*

- (a) Depending on the season, the Superintendent shall have the discretion to alter the time for distribution of food.

- (b) On the advice of the Institution Doctor, every sick child who is prevented from taking regular food, on account of his ill-health, may be issued with medical diet, as indicated in diet scale.

- (c) Extra diet for nourishment like milk, eggs and fruits shall be issued to the children on the advice of the institution Doctor in addition to the regular diet, to pick up weight or for other health reasons and for the purpose of calculation of the daily ration, the sick children shall be excluded from the day's strength.
- (d) On the following national and festival occasions, sweet dishes may be distributed to all the children at the Home at the rate fixed by the Commissioner, from time to time.

1. Republic Day (26th January)
2. Ambedkar's Birthday (14th April)
3. Independence Day (15th August)
4. Mahatma Gandhi's Birth Day (2nd October)
5. Children's Day (14th November)
6. Child Rights Day (20th November)
7. Dussehra (Vijayadasami)
8. Deepavali
9. Ramzan (Id-ul-Fitr)
10. Bakrid (Id-ul-Zuha)
11. Christmas (25th December)
12. Onam
13. Vishu

The States may specify additional festivals depending upon local preferences.

By order of the Governor,

DR. K. M. ABRAHAM,
Additional Chief Secretary to Government.

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport.)

Government of India have enacted the Juvenile Justice (Care and Protection of Children) Amendment Act, 2006 (No. 33 of 2006) with effect from 22nd August 2006. The Government of Kerala have decided to frame new Rules in supersession of the Kerala Juvenile Justice (Care and Protection of Children) Rules, 2003, so as to make the State Rules inconsistent with the amended provisions of the Juvenile Justice (Care and Protection of Children) Act, 2000.

This notification is intended to achieve the above object.
