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MINISTRY OF WOMEN AND CHILD DEVELOPMENT

NOTIFICATION

New Delhi, the 26th day of October , 2007

Rules under the Juvenile Justice (Care and Protection of Children) Act 2000 (56 of 2000) (as amended by the Amendment Act 33 of 2006) to be administered by the States

[For better implementation and administration of the provisions of the said Act in its true spirit and substance]

G.S.R. 679(E) - WHEREAS the Constitution has, in several provisions, including clause (3) of article 15, article 21, article 21A, clauses (1) and (2) of article 22, articles 23 and 24, clauses (e) and (f) of article 39, article 39 A, articles 45, 47 and 51 A (k), impose on the State a primary responsibility of ensuring that all the needs of children are met and that their basic rights are fully protected;

AND WHEREAS, the Convention on the Rights of the Child adopted by the General Assembly of the United Nations on the 20t

NOW, THEREFORE

(g) "Form" means the form annexed to these rules;

(h) "individual care plan" is a comprehensive deve

(p) “street and working children” means children without ostensible means of livelihood, care,

(ii) Procedural protection of innocence

All procedural safeguards that are guaranteed by the Constitution and other statutes to the adults

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) No 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.

(b) Any juvenile or child, who has lost contact with his family, shall be eligible for repatriation under the Act, and shall be, to his family, unless

6. Tenure of the Board (1) The Board shall have a tenure of three years 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) Any extension of the tenure of members of the Board shall be on the basis of their performance appraisal by the District Child Prot

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(9) For all other cases involving offences of non-serious nature (entailing a punishment of less than 7 years imprisonment for adults) 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

13. Post-production processes by the Board. (1) On production of the juvenile before the Board, the report containing social backgr

encourage him to state the facts and circumstances without any fear, not only in respect of the

(12) The State Government shall make arrangement for complying with the detention of special category of juveniles in conflict with law in place of safety other than the special home.

(13) In no case the period of detention shall exceed beyond 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. (1) The State Government or the voluntary organisation recognised by that State Government shall set up separate observation homes or special homes for boys and girls.

(2) The observation homes or special homes shall set up separate residential facilities for boys and girls up to 12 years, 13-15 years and 16 years and above.

(6) If the parent or guardian,

(2) In the event of an escape of

21. Tenure of the Committee (1) The Committee shall have a tenure of three years and the tenure of Chairperson and Members shall be co-terminus with the tenure of the Committee.

(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 shall be on the basis of their performance appraisal by the District Child Protection Unit or the State Government and on the

23. Sitting and conveyance allowances. The Chairperson and Members of the Committee shall be paid such travel and sitting allowance, as the State Government may determine, but it shall not be less than rupees five hundred per sitting per member.

24. Sitting of the Committee. (1) The Committee shall hold its sittings in the premises of the children's home or, at a place in proximity

- (h) direct the Officer-in-charge of children's homes to receive children requiring shelter and care;
- (i)

- (d) social worker;
- (e) any public spirited citizen; or
- (f) by the child himself.

(2) In case of a child under two years of age, who is medically unfit, the person or the organization shall send a written report along with the photograph of the child to the Committee within twenty-four hours and produce the child before the Committee as soon as possible. In case of a child under two years of age, who is medically unfit, the person or the organization shall send a written report along with the photograph of the child to the Committee within twenty-four hours and produce the child before the Committee as soon as possible. In case of a child under two years of age, who is medically unfit, the person or the organization shall send a written report along with the photograph of the child to the Committee within twenty-four hours and produce the child before the Committee as soon as possible.

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

25 Officer-in-charge as the case may be, of the institution or any recognized agency for conducting the inquiry

(7) All shelter homes shall submit a report 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

(2) After care programmes shall be made available for 18-21 year old persons, who have no place to go to or are unable to support themselves, by the District or State Child Protection Units in collaboration with voluntary organizations for the purpose of section 44 of the Act and this

social reintegration of juveniles or children through the Board or the Committee as the case may

33(ii) Separate children's homes for boys and girls in the age group of 7-11 and 12- 18 years; (iii) Separate faci

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

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(b) the menu shall be prepared with the help of a nutritional expert or doctor to ensure

47. 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 requirem

- (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.
- (4) The designat8 shall enter the name _____ of the juvenile or child in the Admission Register and allocate appropriate accommodation facility.
- (5) The photograph shall also be taken immediately for records and the case worker _____ or probation -fficer or welfare -fficer shall begin the investigation and correspondence with the person, the juvenile or child might have named.
- (6) The Officer-in-charge shall see that the personal belongings of the juvenile or child

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 and valuables, clothing, bedding and other articles, if any, shall be kept in safe custody;

(c) when such juvenile is transferred from one

- (l) leave and other privileges granted;
- (m) special achievements and violation of rules, if any, ;
- (n) quarterly progress report;
- (o) individual care plan, including pre-release programme, post release plan and follow-up plan as prescribed in **Form 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 XX**;

the Management Committee may invite a representative of such voluntary organizations as a special invitee to the Management Committee meetings.

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

(i) custodial care or care in the institu

(4) The Officer-in-Charge shall ensure that the Children's Committees are provided with essential support and materials including stationary, space and guidance for effective functioning.

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

(6) The Officer-in-Charge shall ensure that the Children's Committees are provided with essential support and materials including stationary, space and guidance for effective functioning.

Committees in the following:

j)

necessary for proper treatment of the juvenile or the child or for the remainder of the term for which he has to stay.

(2) When the juvenile or the child is cured of the disease or physical or mental health problems, the competent authority may, if the juvenile or child is still liable to stay, order the juvenile or the

(6) The parent or guardian shall arrange to escort the juvenile ~~to the~~ ~~child~~ ~~from~~ ~~the~~ ~~institution~~ ~~and~~ ~~to~~ ~~the~~ ~~institution~~ ~~and~~ ~~when~~

(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 feed back.

- (5) In case of girls, the juvenile or child shall necessarily be accompanied by female escorts.
- (6) The expenses incurred on restoration of a juvenile or child, including travel and other incidental expenses, shall be borne by the District Child Protection Unit or State Government.
- (7) When a juvenile or child expresses his unwillingness to be restored back to the family, the

67. Maintenance of Registers. The Officer- in-charge shall maintain in his office, such registers and forms, as required by the Act and as specified by these rules made there under 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) 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;

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may be necessary, may be recognized by the competent authority as a fit person after due verification of their credentials and reputation.

(2) Any organization desiring recognition under the Act shall make an application to the Competent Authority, who shall after due inquiry, recommend the State Government for such recognition.

(3) The State Government may, transfer the management of any State run institution under the Act to a voluntary organization of repute, who has the capacity to run such an institution; and certify or recognize the said voluntary organization as a fit institution to own and discharge responsibilities under a Memorandum of Understanding for a specified period of time.

(4) The State Government may, if dissatisfied with the conditions, rules, management of the organization or the performance of the organization, declare that the organization shall stand withdrawn as from the date of the declaration and the organization shall cease to be an organization under sections 37, 41 or 44 of the Act, as the case may be.

Provided that the concerned

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72. Grant in aid to certified or recognized organization. (1) An organization certified or recognized or registered under sections 8, 9, 34, sub-section (3) of section 34, 37 or 44 of the Act, may during the period when certification or recognition or registration is in force, may apply for grants-in-aid by the State Government

place of

juvenile or the child at the ordinary

VI

as

directing the juvenile to be

(1) Infrastructure shall consist of a Board Room, waiting room for children, a room for Principal Magistrate and Members, a record room, room for Probation Officers, waiting room for parents and visitors, safe drinking water facility and toilets.

(2) The State Government shall provide necessary human resource support for every Board, including probation officer, steno-typist or computer operator, peon, safai karamchari.

84. Special Juvenile Police Unit.

(9) The Superintendent of Police in a district shall head the Special Juvenile Police Unit and oversee its functioning from time to time.

(10) A Nodal Officer from Police not less than the rank of Inspector General of Police shall be

(4) While visiting an institution, the visitors

(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 m

Instructions:

(2) Variation in Diet

- (a) Three varieties of dal i.e., Toor (Tuvvari), Moong (Green Gram) and Chana (Bengal Gram) may be issued alternatively.
- (b) The Superintendent may also arrange to substitute chicken with fish at his discretion, provided that there is no extra expenditure to Government.
- (c)

FORM-II
[Rule 13(1)(d)]

Order of detention under Sub-Section _____ of Section _____, Sub-Section _____ of
Section _____ and Sub-Sec

FORM IV

Companions and their influence _____

Truancy from home, if any

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

FORM – V
[Rules 15(5) and 79(2)]

**UNDERTAKING/ BOND TO BE EXECUTED BY A PARENT/ GUARDIAN/ RELATIVE
/FIT PERSON IN WHOSE CARE A JUVENILE IS PLACED**

Whereas I _____ being the parent, guardian, relative or fit person under whose care _____ (name of the juvenile) has been ordered to be placed by the Juvenile Justice Board _____, have been directed by the said Board to execute an undertaking/ bond with surety in the sum of Rs. _____/- (Rupees _____) or without surety. I hereby bind myself on the said _____ being placed under my care. I shall have the said _____ properly taken care of and I do further bind myself to be responsible Oit p3444 T..3444 Tws2oun

FORM VI
[Rules 15(6) and 79(2)]

PERSONAL BOND BY JUVENILE/CHILD

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

Whereas, I _____ inhabitant of _____ (give full particulars such as house number, road, village/town, tehsil, district, state) _____ have been ordered to be sent back/restored to my native place by the Juvenile Justice

cancellation he/she shall be dealt with under sub section (3) of section 59s 7py0.0385 Tw7i

FORM VIII

[Rule 27(17)]

SUPERVISION ORDER

When the Child is placed under the case of a parent guardian or other fit person

Case No. _____ of _____ 20____

Whereas (name of the child) _____ has this day been found to be in need of care and protection, and has been placed under the care and supervision of (name) _____ (address) _____ on executing a bond by the said _____ and the Committee is satisfied that it is expedient to deal with the said child by makn orde r plac/her under supervision.

It is hereby ordered that the said child

FORM IX

[Rules 27(17) and 79(2)]

**UNDERTAKING BY THE PARENT OR 'FIT PERSON' TO WHOM
CHILD IS RESTORED**

I _____ resident of House no. _____ Street
_____ Village/Town _____ District _____ State
_____ do hereby declare that I am willing to take charge of (name of the child)

FORM X
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FORM XI
[Rule 27(19)]

ORDER OF RESTORATION OF A CHILD TO AN INSTITUTION

To
The Officer-in-Charge

Whereas on the _____ day of _____ 20 ____ (name of
the child) _____, son/daughter of _____
aged _____ residing at _____

If married, relevant particulars

Other near relatives or agencies
interested

teachers, class mates and vice-versa)

FORM XIV
[Rule 33(3)(c)]

ORDER FOR DECLARING CHILD

FORM XVI
[Rule 35(3)]

A. FOSTER CARER'S ASSESSMENT

1. Agency Details

Name of the Agency

Address

Age Range Under 2 years 3-6 years 7-12 years 13-15 years 16-18 years

Sl. No.	Type of Placement	Duration				
(i)	Pre adoption	(i)	Pre	030	-1.1ears	er 2

4. Profile of the family

Brief Family Profile					
Name	Gender	Approx. Age	Occupation	Education	Relationship with the

2. Relationships:

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

FORM XVII

[Rule 34(1)]

ORDER OF FOSTER CARE PLACEMENT

The child (name and address) _____ approximate
age _____ d/o or s/o Mr. _____ and Mrs.
_____ or Ms. _____

FORM XVIII
[Rule 37(5)]

FORM XIX
[Rule 38(3)]

ORDER OF AFTER CARE PLACEMENT

The juvenile/child (name) _____ d/o or
s/o _____ has/ will be completing 1h years of age

FORM XX
[Rule 50(9) and 54(1)(t)]

CASE HISTORY FORM FOR CHILDREN IN NEED OF CARE AND PROTECTION

Case/Profile No. _____

Date & Time _____

A. PERSONAL DATA

1 Name

2

- i) Parents Arranged/ Special Marriage/ Local Union
- ii) Brothers Arranged/ Special Marriage/ Local Union
- v) Sisters Arranged/ Special Marriage/ Local Union

30. Social activities of family members:

- i) Participate in social and religious functions

B Smoking Alcohol consumption 142110()-2750(ii) 18-36 Play in indoor/outdoor gasum)8.eies

iii) More than eight hours

F. EDUCATIONAL DETAILS

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. Illite
- iii. The same age group
- iv. Older in age
- v.

- iv. For deviant activities
- v.

D. POST-RELEASE REPORT

1. Status of Bank Account : Closed / Transferred
2. Earnings and belongings of the child : handed over to the child or his/her parents/guardians – Yes/No
3. First interaction report of the probation officer/child welfare officer/case worker/social worker/non-governmental organisation identified for follow-up with the child 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? Give date and name of

FORM XXII

[Rule 65(2)]

ESCORT ORDER

Case No.....

In the matter of Boy/Girl Child
.....

Aged about.....year taken
Charged for sole custody under
Section 33(3) of the Juvenile
Justice Act 2000

The Parents of the boy/girl child are reported to be residing at:

He/She therefore be sent under supervision of