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## **MINISTRY OF WOMEN AND CHILD DEVELOPMENT**

### **NOTIFICATION**

**New Delhi, the 26<sup>th</sup> 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

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 protection under the Act and shall be repatriated and restored, at the earliest, 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



(a)

(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 all



**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 as soon as it is

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



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



(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



- (ii) Separate children's homes for boys and girls in the age group of 7-11 and 12- 18 years;
- (iii) Separate facilities for children in the age group of 0-5 years with appropriate facilities for infants.

**(d) Shelter Home:**

- (i) Separate shelter homes for girls and boys;

(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.

(6) T

(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 in

- (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.



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 0 Tw( )TjTø[ organization or child participation expert shall su





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 or child fromTi shaand 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;



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

**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





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, execution of a bond by the juvenile or child without any surety, in **Form VI**, is necessary along with an undertaking by the said relative or fit person in **Form V or 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 home.

(4) Any juvenile or a child, who is a foreign national and who has lost cy 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

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

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**FORM – V**  
[Rules 15(5) and 79(2)]



(Where a bond with sureties is to executed add)

I/We \_\_\_\_\_ of \_\_\_\_\_  
(place of residence with full particulars) hereby declare myself/ourselves as surety/sureties for the aforesaid \_\_\_\_\_ (name of the person executing the undertaking/bond) to adhere to the terms and conditions of this undertaking/bond. In case of \_\_\_\_\_ (name of the person executing the bond) making fault therein, I/We hereby bind myself/ourselves jointly or severally to forfeit to government the sum of Rs. \_\_\_\_\_/- (Rupees \_\_\_\_\_) dated this the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_ in the presence of \_\_\_\_\_.

**Signature of Surety(ties)**

(Signed before me)

**Principal Magistrate, Juvenile Justice Board**

**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

**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**  
18)7

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**ORDER OF SHORT TERM PLACEMENT PENDING**

**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

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Other near relatives or agencies  
interested

---

teachers, class mates and vice-versa)

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**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

<b>Sl. No.</b>	<b>Type of Placement</b>	<b>Duration</b>
(i)	Pre adoption	



#### 4. Profile of the family

<b>Brief Family Profile</b>					
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



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.

- 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 a proper police/ non-governmrTw1n,n2nPganisation