

(4) The Special Juvenile Police Units shall be assisted by recognized voluntary organizations, who will help them in identifying juveniles and helping the juveniles or children under the Act.

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

51. Responsibilities of the local authorities.-

The State Government may delegate powers to local authority under section 66 of the Act, to carry out the following responsibilities, namely:-

- (a) recommending the panel of names to the Selection Committee for appointment of social workers for the Board, Chairperson and members of the Committee, district and city advisory boards under rule 24;
- (b) to designate its responsibilities for the inspection committee under sub-section (2) of section 35 of the Act;
- (c) to visit the institution and make suggestions for the improvement and development of institutions under sub-section (2) of section 35 of this Act;
- (d) to give order for inter-state transfer of Juvenile or a Child with prior intimation to the Board and the Committee under section 57 of the Act;
- (e) create a Fund for the welfare and rehabilitation of the juvenile or the child dealt with under the Act.

52. Protection of action taken in good faith.- No suit or legal proceedings shall lie against any functionary under the Act including the members of the voluntary organization and social worker, in respect of anything which is in good faith done or intended to be done in pursuance of the Act during the performance of the duties assigned to them.

53. Duties of the Officer- In-charge of Homes.- The general duties, functions and responsibilities of the Officer- in-charge shall be as follows:-

- (a) Providing homely atmosphere of love, affection, care development and welfare of juveniles or children;
- (b) Planning implementation and coordinating all institutional activities; programmes and operations;
- (c) Maintaining minimum standards in the Home;

- (d) Monitoring of juveniles or children, as the case may be, training and treatment programmes and correctional activities;
- (e) Supervision over juveniles' or childrens', discipline and moral well being;
- (f) Allocation of duties to personnel;
- (g) Attending to personnel welfare and staff discipline;
- (h) Preparation of budget and control over financial matters;
- (i) Supervision over office administration;
- (j) Monthly office inspection;
- (k) Daily inspections and round of institution;
- (l) Inspecting and tasting food prepared for juvenile or child;
- (m) Take prompt action to meet emergencies;
- (n) To take appropriate rehabilitation measures.

54. Duties of a Probation Officer.— (1) On receipt of information from the Officer-in-charge, the Special Juvenile Police Unit 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 VIII, to the Board.

(2) Every probation officer shall carry out all directions given by the Board or the Committee or concerned authority and shall perform the following duties, namely:—

- (a) to make inquiries regarding the home and school conditions, conduct, character and health of juvenile or child under their supervision;
- (b) to attend regularly the proceeding of the Board and submit reports;
- (c) to maintain diary case file and such register as may be specified from time to time ;
- (d) to visit regularly the residence of the juvenile or the child under their supervision and also places of employment or school attended by such juvenile or the child and to submit fortnightly reports as prescribed in Form IX;
- (e) to accompany 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;
- (f) to bring before the Board or the Committee, immediately juveniles or children who have not been of good behavior during the period of supervision;
- (g) follow-up of juveniles or children after their release from the organizations and extending help and guidance to them ;
- (h) establishing linkages with voluntary workers and organizations to facilitate rehabilitation and social reintegration of juveniles or children and to ensure the necessary follow up ;

- (i) ensuring that the children's need of food and cloth are met as per the specified standard ;
- (j) to ensure the cleanliness of the premises and maintenance of physical infrastructure including provisions of water and electricity.

(3) The probation officer shall not employ a juvenile or children under their supervision for their own purposes or take any private service from them.

55. Duties of Case Workers/Child Welfare Officer.- The general duties, functions and responsibilities of Case Worker or child welfare officer shall be as follows:-

- (a) Making social investigation of the juvenile or the child through personal interview and from the family, social agencies and other sources;
- (b) Clarifying problems of the juvenile or the child and dealing with their difficulties in institutional life;
- (c) Participating in the orientation, monitoring, education, vocational and rehabilitation programmes;
- (d) Establishing co-operation and understanding between the juvenile or the child and the Officer- in-charge;
- (e) Assisting the juvenile or the child to develop contacts with family and also providing assistance to family members;
- (f) 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.
- (g) Ensuring that the children's need of food and cloth are met as per the specified standard;
- (h)) Ensure the cleanliness of the premises and maintenance of physical infrastructure including provisions of water and electricity.

56. Duties of House Father/House Mother.-(1) The general duties, functions and responsibilities of a house father, house mother and other care taker shall be as follows:-

- (a) Handling juvenile or child with love and affection;
- (b) Taking proper care and welfare of juvenile or child;
- (c) Maintaining discipline among the juveniles or children ;
- (d) Maintenance, sanitation and hygiene;
- (e) Implementing daily routine in an effective manner and ensuring children's involvement;
- (f) Looking after the security and safety arrangements of the home;
- (g) Escorting juveniles or children, whenever they go out of the home.

57. Training of Personnel.—(1) The State Government or the Officer-in-charge shall provide for training, of 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 training of the newly-recruited staff,
- (b) refresher training courses for every staff member at least once in every five years, and
- (c) staff conferences, seminars, workshops, along with the various components or functionaries of the Juvenile Justice system and the State Government at various levels of the personnel organisation.

58. Advisory Boards.— (1) The Central Government and the State Government shall constitute advisory board at various levels for a period of three years.

(2) The Central advisory board shall be constituted through the Ministry of Social Justice and Empowerment.

(3) The State Government shall constitute the State advisory board, district advisory board and the city advisory board.

(4) All the boards shall hold at least two meetings in a year.

(5) These advisory boards shall also inspect the various institutional or non-institutional services in their respective jurisdictions; and the recommendations made by them, shall be acted upon by the Central Government, the State Government and the local authorities.

(6) The Central Government through the Ministry of Social Justice and Empowerment shall set up the Central advisory board to be headed by the Minister concerned and shall consist of the Secretary of the Ministry aforesaid, representatives from State Governments, leading Non-Governmental organisations, children's institution and academic institutions as members.

(7) A designated official of the Ministry of Social Justice & Empowerment shall function as the Member- Secretary of the Central advisory board.

(8) The State Government, through the Selection Committee constituted under sub-rule (2) of rule 24 of these rules, shall set up State, district and city level advisory boards, which shall consist of members of the competent authority, academic institutions, locally respectable and spirited citizens, representatives of Non-Governmental organizations and the representative of local authority, who shall act as its secretary.

(9) The inspection committee constituted under section 35 of the Act shall function as district or city advisory board in terms of sub-section (3) of 62 of the Act.

(10) The termination, resignation, or other vacancy caused in a advisory board and appointment of new members therein shall be done in the same manner as is done in case of the Committee.

59. Openness & Transparency.- (1) All Children's Home shall be open to visitors with the permission of the Superintendent or the Project Manager, particularly the representatives of local self government, voluntary organizations, social workers, researchers, medicos, academicians, prominent personalities, media and any other person, as the Superintendent or the Project Manager considers appropriate keeping in view the security, welfare and the interest of the child.

(2) The Superintendent of the home shall encourage active involvement of local community in improving the conditions in the homes, if, the members of the community want to serve the institution or want to contribute through their expertise.

(3) The Superintendent or the Project Manager shall maintain a visitors 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 Superintendent or the Project Manager or is in contravention of the Act or rules or impinges on the dignity of the child.

(5) The visitors may be allowed to visit observation homes and special homes with the permission of the competent authority

60. Juvenile Justice Fund.- (1) The State 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 dealt with under the provisions of the Act.

(2) In addition to donations, contributions or subscriptions coming under Sub-Section (2) of Section 61, the Central Government shall also make contribution to the Fund.

(3) The Fund shall be applied, -

- (a) to implement programmes for the welfare and rehabilitation of juvenile or children ;
- (b) to pay grant-in-aid to non governmental organizations;
- (c) to meet the expenses of State advisory board and its purpose ;

(d) to do all other things that are incidental and conducive to the above purposes.

(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 non-recurring, 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, signed by the secretary-cum-treasurer in the case of amounts not exceeding rupees one thousand and signed duly by the secretary-cum-treasurer and other member of the board of management to be nominated by the State advisory board.

(7) The regular accounts shall be kept of all money and properties, and all incomes and expenditure of the Fund and shall be audited by a notified firm of Chartered Accountants, or any other recognized authorities as may be appointed by the Board.

(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 the proceeds of sale or other disposal of the property, as well as any money or property not immediately required to be used to serve the objective of the Fund, in any one or more of the modes of investment for the time being 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.

61. Temporary application of model rules.— It is hereby declared that until the new rules are framed by the State Government concerned under section 68 of the Act, these rules shall mutatis mutandis apply in that State.

62. Pending Cases.—(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 a 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), and it is hereby clarified that such benefits shall be made available not only to those accused who was juvenile or a child at the time of commission of an offence, but also to those who ceased to be a juvenile or a child during the pendency of any enquiry or trial.

(4) While computing the period of detention or stay 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 or stay shall be counted as a part of the period of stay or detention contained in the final order of the competent authority.

63. Disposal of records/documents. -The records or documents in respect of a juvenile or a child shall be kept in a safe place for a period of seven years and no longer and thereafter, be destroyed with the help of the Board or the Committee.

64. Repeal and Saving.- The Juvenile Justice (_____) Rules, 20____, as in force within the State/UT of _____ shall stand repealed immediately on the publication of these rules :

Provided that any thing done or omitted to be done or order issued, shall, in so far as it is not inconsistent with the provisions of these rules, be construed to have been done or issued under the relevant provisions of these rules.

FORM - I

(See sub-rule (7) of rule 22, sub-rule (2) of rule 27)

To

Probation Officer/ Person in-charge Voluntary Organization/ Social worker/
Case Worker

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

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

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

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

(signature)

SEAL

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

FORM - II

(See sub-rule (8) of rule 22, sub-rule (2) of rule 34)

SUPERVISION ORDERWhen the Juvenile is placed under the care of a parent, guardian or other fit person

Profile No. _____ of _____-20_____.

Whereas (name of the juvenile/child) has this day found to have committed an offence and has been placed under the care of (name) _____
 _____ (address) _____ on
 executing a bond by the said _____
 and the court is satisfied that it is expedient to deal with the said juvenile or child 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, for a period of -----
 ----- subject to the following conditions:-

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

- 11 That the directions given by the probation officer/case worker from time to time, for the due observance of the conditions mentioned above, shall be carried out.

Dated this _____ day of _____ 20_____.

(signature)

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

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

FORM - III

(See sub-rule(10) of rule 22, sub rule (11) of rule 26)

Order of detention under Sub-Section -----of Section-----, Sub-Section-----
--of Section----- and Sub-section -----of Section-----.

To

The Officer in charge/ Project Manager

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

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

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

This -----day of -----20

(Signature)

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

Encl:

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

Strike which is not required.

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

Date	Order passed including period of detention, if any	section	Competent Authority

FORM IV

(See sub-rule (9) of rule 22, sub-rule (10) of rule 26)

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

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

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

Dated this -----day of -----20---

Before me signed

Signature of person executing the bond .

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

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

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

(Signed)

FORM V

(See sub-rule (4) of rule 46)

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 to my native place by the Juvenile Justice Board/Child Welfare Committee-----under section----- of the Juvenile Justice (Care and Protection of Children) Act, 2000 on my entering into a bond under sub- rule -----of rule -----of the Juvenile Justice (Care and Protection of Children) Justice, Rules, 2001 to observe the conditions mentioned herein below. Now, therefore, I do solemnly promise to abide by these conditions during the period-----.

I hereby bind myself as follows:

- 1 That during the period-----I shall not ordinarily leave the village/town/district to which I am sent and shall not ordinarily return to----- or go anywhere also beyond the said district without the prior permission of the Board/Committee;
- 2 That during the said period I shall attend work/school in the village/town or in the said district to which I am sent;
- 3 That in case of may attending work/school at any other place in the said district I shall keep the Board/Committee informed of my ordinary place of residence.

FORM VI

(See sub-rule (4) of rule 46)

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

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

Dated this _____ day of _____ 20.

Signature :

Signature and address of witness (es) :

FORM VII

(See sub-rule(5) of rule 18)

I, -----name and designation of the releasing authority-----
 -----State Government/Union Territory Administration, do by this order
 permit-----son/daughter of -----cast-----
 --residence-----number-----who was ordered to be
 detained in a observation home, special home, children home, shelter home,
 after care home by the Juvenile Justice Board/Child Welfare Committee -----
 -----under section-----of the Juvenile Justice (Care and
 Protection of Children) Act 2000, for a term of -----on the -----
 -----day of -----2----- and who is now in the -----
 -----homes, at -----to be discharged from the said -----
 -----on condition that he/she be placed under the
 supervision and the authority of -----during the
 remaining position of the aforesaid period of stay,

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

Dated

Signature and Designation of
Releasing Authority

Place :

Conditions:

- 1 The released person shall proceed to-----and live under
 the supervision and authority of -----until the expiry of
 the period of his/her detention unless the remission is sooner
 cancelled.
- 2 He/she shall not, without the consent of the -----remove
 himself/herself from that place or any other place, which may be
 named by the said-----
- 3 He/She shall obey such instructions as he/she may receive from the
 said-----with regard to punctual and regular attendance at
 employment or otherwise.
- 4 He/She shall attend the Attendance Centre at -----
 regularly.
- 5 He/She shall abstain from committing any offense and shall lead a
 sober and industrious life to the satisfaction of -----
- 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
 under sub section (3) of section 59 of the Juvenile Justice (Care &
 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 person)

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

Signature and Designation of the certifying authority

(i.e. Officer-in-charge of the institution)

FORM VIII

(See rule sub-rule (1) of rule 54)

Social Investigation Report

Sl. No. -----

Submitted to the Juvenile Justice Board/Child Welfare Committee,-----
----- (address).

Profile No.

Probation Department

Profile No.

Under section

Title of Profile

Police Station

Nature of offence charge

(In the case of delinquent juvenile)

Name

Father's Name

Permanent Address

Last address before arrest

Religion

Caste

Year of birth

Age

Sex

Previous institutional history, if any

FAMILY

Members of Family	Name	Age	Health	Occupation or School	Wages, if any
Father					
Step Father					
Mother					
Step Mother					
Sub-mother					
Siblings					
If married, relevant particulars					

Other near relatives or agencies interested					

Attitude towards religion normal And ethical code of the home etc.					

Social and economic status					

Delinquency record of members of family					

Present living conditions					

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

Other facts of importance if any					

JUVENILES/CHILDS 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 attitude towards discipline
In the home and child's reaction

Any other remarks

RESULT OF INQUIRY

Emotional factors
Physical condition
Intelligence
Social and economic factors
Religious factors
Suggested causes of the problems
Analysis of the case giving an idea
As to how the delinquency developed

Recommendation regarding treatment and its
Plan by Probation Officer/Child Welfare Officer

Signature of the Probation Officer/Case Worker

FORM IX

(See clause (d) of rule (2) of rule 54)

Fortnightly Progress report of Probationer**Part I**

Name of the Probation Officer/Case Worker

For the month of

Register No.

Competent Authority

Profile No.

Name of the Child

Date of Supervision Order

Address of the Child

Period of Supervision

Part II

Places of interview

Dates

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

Part III

- 8 Any proceedings before the competent authority of or
 - a) Variation of conditions of bond
 - b) Change of residence
 - c) Other matters
- 9 Period of supervision completed on-----
- 10 Result of supervision with remarks (if any)
- 11 Name and 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 of the Probation Officer/Case Worker

DHARMENDRA DEO, Jt. Secy.