

MINISTRY OF WOMEN AND CHILD DEVELOPMENT

NOTIFICATION

New Delhi, the 1st September, 2022

G.S.R. 678(E).—In exercise of the powers conferred by the proviso to sub-section (1) of section 110 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (2 of 2016), the Central Government hereby makes the following amendments to the Juvenile Justice (Care and Protection of Children) Model Rules, 2016, namely:—

1. Short title and commencement

(1) These rules may be called the Juvenile Justice (Care and Protection of Children) Model Amendment Rules, 2022.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Juvenile Justice (Care and Protection of Children) Model Rules, 2016 (hereinafter referred to as the principal rules), in sub-rule (1) of rule 2,—

(i) clause (iv) shall be omitted;

(ii) after clause (vi), the following clause shall be inserted, namely:—

“(vi a) “conflict of interest” means “a situation in which a person has a private or personal interest sufficient to appear to influence the objective exercise of his or her official duties and where such person shall be ineligible to be associated with any statutory structure defined under the Act.”

(iii) in clause (ix),—

(a) for sub-clause (f), the following sub-clause shall be substituted, namely:—

“(f) rescue, restoration and follow up”;

(b) for sub-clause (g), the following sub-clause shall be substituted, namely:—

“(g) social mainstreaming and rehabilitation”;

(iv) for clause (xii), the following clause shall be substituted, namely:—

“(xii) Person-in-charge or Superintendent” means a person appointed for the control and management of the Child Care Institution”;

(v) in clause (xiv), for the words “designated in every”, the words “designated for every” shall be substituted;

(vi) in clause (xviii),—

(a) for the words “a graduate with minimum seven years of experience in child education and development”, the words “a graduate with minimum three years of experience in matters relating to child education and development” shall be substituted;

(b) for the words “under the Act or these rules”, the words “under the Act or the rules made thereunder” shall be substituted;

(c) in Explanation, for the words “this definition, it is clarified that”, the words “this clause, it is hereby clarified” shall be substituted.

3. In the principal rules, in sub-rule (3) of rule 4, after the words “shall not be less than thirty five years of age”, the words “and shall not be more than sixty-five years of age on the date of notification” shall be inserted.

4. In the principal rules, in rule 5,—

(i) in sub-rule (2), the words “which shall not be continuous” shall be omitted.

(ii) after sub-rule (4), the following sub-rules shall be inserted, namely:—

“(5) If any complaint is made against a member of the Board, the State Government shall hold necessary inquiry except in respect of judicial officers; complaints against judicial officers shall be forwarded to the Registrar of the High Court for action.

(6) The State Government shall complete the inquiry within a period of two months and take appropriate action within one month.

(7) If a criminal case is registered against the member concerned, if necessary the State Government may suspend the member immediately pending inquiry, for such term as appropriate; or after holding an inquiry and giving an opportunity of being heard in the matter.”.

5. In the principal rules, in rule 6,—

- (i) in sub-rule (2), for the words “un-connected with the case remains”, the words “not connected with the case shall not remain”, shall be substituted.

- (ii) after sub-rule (7), the following sub-rule shall be inserted, namely:—

“(7A) The Board may conduct its sittings through video conferencing, in case there are constraints limiting physical movement of the child alleged to be in conflict with law, or the Board Members including the Chairperson.

Provided if the child’s case requires the presence of a doctor or psychiatrist or counsellor or physical attention, the sitting shall be conducted in the premises as provided in sub-rule(1) of rule 6.”.

6. In the principal rules, in rule 7,—

- (i) in clause (v) of sub-rule (1), for the words “to the District Child Protection Unit”, the words “to the District Magistrate” shall be substituted;

- (ii) for clause (vi) of sub-rule (1), the following clauses shall be substituted, namely: -

“(vi) maintain a suggestion box or grievance redressal box in the premises of the Board or in the Observation Home or Special Home or Place of Safety at a prominent place to encourage inputs from children and adults alike which shall be operated by the nominee of the Principal Magistrate.

(vi a) an online grievance redressal system shall also be created by the State Government for receipt of suggestion or grievance which may be accessed by the Board;”;

- (iii) for clause (viii) of sub-rule (1), the following clause shall be substituted, namely:—

“(viii) review the Children's Suggestion or Complaint Book during every visit in the Child Care Institution and also carry out random one to one and group interaction with children in the Child Care Institutions in absence of the Child Care Institution staff and Person-in-Charge to understand concerns and issues of children, to determine their well-being and provide inputs and recommendations accordingly to such Child Care Institutions.”.

7. In the principal rules, in rule 8,—

- (i) after clause (iii) of sub-rule (3), the following clauses shall be inserted, namely:—

“(iii a) also inform the child and the parent or guardian immediately regarding the rights and privileges of the child under the Act and rules;

(iii b) rights of the child shall also be displayed in every police station and at prominent places in the Observation Homes, Special Homes, Place of Safety;”.

- (ii) in sub-rule (6), the words “and Childline Services” shall be omitted;

8. In the principal rules, in rule 9,—

- (i) after sub-rule (2), the following sub-rule shall be inserted, namely:—

“(2A) The Board shall ensure that the information regarding the child referred to in sub-rule (2) is uploaded on a portal, as may be specified by the Central Government in this behalf.”.

- (ii) in sub-rule (3), for the word and figure “section 83”, the word and figure “section 78 and section 83” shall be substituted.

9. In the principal rules, in rule 12,—

- (i) after sub-rule (2), the following sub-rules shall be inserted, namely:—

“(2A) The District Magistrate shall on the basis of the quarterly report submitted in sub-rule (2) examine the reasons for pendency, discrepancies observed during visits to the Observation Homes and the like and shall make its recommendations to the authorities like Police, Medical, District Legal Services Authority or any other concerned authority, for reduction of pendency of cases before the Board and to take appropriate action against the authorities as deemed fit.

(2B) Where the review by the District Magistrate discloses the reasons for pendency due to the members of the Board, then the District Magistrate shall inform the State Child Protection Society.

(2C) The State Child Protection Society shall on the basis of the report submitted by the District Magistrate recommend for appropriate action to the State Government.”;

- (ii) in sub-rule (3), for the words “the Selection Committee constituted under rule 87 of these rules”, the words “the Registrar of the High Court and a copy shall also be forwarded to the District Magistrate.” shall be substituted.

10. In the principal rules, in rule 15,—

(i) for sub-rule (3), the following sub-rule shall be substituted namely:—

“(3) The Chairperson and the members shall be above the age of thirty-five years and not more than sixty five years and shall have a degree in child psychology or psychiatry or law or social work or sociology or human health or education or human development or special education for differently abled children and has been actively involved in health, education or welfare activities pertaining to children for seven years or is a practicing professional with a degree in child psychology or psychiatry or law or social work or sociology or human health or education or human development or special education for differently abled children.”;

(ii) in sub-rule (4), the following proviso shall be inserted namely:—

“Provided that nothing contained in this sub-rule shall be a bar in case of a member being appointed as Chairperson”;

(iii) after sub-rule (4), the following sub-rules shall be inserted, namely:—

“(4A) The person applying for the post of the Chairperson or member of the Committee shall submit an affidavit, as per Form 49, certifying that the applicant is not barred by any of the conditions laid down in sub-section 4A of section 27 of the Act. The appropriate Government shall then verify the same as per norm.

(4B) A person associated with an organisation receiving foreign contribution shall not be eligible to be a Chairperson or member of the Committee.

(4C) Any person working in the implementation of the Act in any Non-Government Organisation or any organisation, performing such functions which may cause conflict of interest in discharge of their duties as the Chairperson or member of the Committee shall not be eligible for appointment as the Chairperson and member of the Committee.

Explanation: For the removal of doubt, it is hereby clarified that, this may include but is not limited to any of the following situations within the territorial jurisdiction of the Committee:

(a) any family member is a member of any non-governmental organisation;

(b) close relation is a member of any non-governmental organisation ;

(c) cases of non-governmental organisations or persons working in a district for rescue and rehabilitation;

(d) a person representing a person who runs a Child Care Institution or member of the Board or Trust of any non-governmental organisation.

(4D) If any complaint is made against a Chairperson or member of the Committee, the State Government shall hold an inquiry and if necessary, suspend the person immediately pending inquiry. The inquiry shall be completed within a period of two months and the State Government may take appropriate action within one month of completion of the inquiry.

(4E) No Chairperson or member of the Committee shall be removed without holding an inquiry by the State Government and until that person has been given an opportunity of being heard in the matter.

(4F) If a criminal case is registered against the Chairperson or member concerned, if necessary the Government may suspend the concerned Chairperson or member, immediately pending inquiry, for such term as appropriate, or after holding an inquiry and giving an opportunity of being heard in the matter.”.

11. In the principal rules, in sub-rule (4) of rule 16, for the words “un-connected with the case remains”, the words “not connected with the case shall not remain”, shall be substituted.**12. In rule 17 of the principal rules,—**

(i) after clause (iii), the following clause shall be inserted, namely:—

“(iii a) Quarterly reports of inspection conducted under clause (viii) of section 30 of the Act shall be submitted, as and when required, for the purpose of monitoring under section 109 of the Act;”;

(ii) for clause (iv), the following clause shall be substituted, namely:—

“(iv) review the Children's Suggestion or Complaint Book during every visit in the Child Care Institution and also carry out random one to one and group interaction with children in the Child Care Institutions in absence of Child Care Institution staff and Person-in-Charge to understand concerns and issues of children to determine their well-being and provide inputs and recommendations accordingly to the Child Care Institutions;”;

(iii) after clause (v), the following clause shall be inserted, namely:—

“(v a) for the purposes of sub-section (4) of section 40 of the Act, the Committee shall submit a quarterly information in Form 16 regarding restored, dead and runaway children to the State Government and the District Magistrate;”;

(iv) after clause (vii), the following clause shall be inserted, namely:—

“(vii a) maintain case records of at least five years.”;

(v) in clause (viii), after the words “a software may be developed by the State Government”, the words “such that the case records of at least five years are maintained.” shall be inserted;

(vi) after clause (viii), the following clauses shall be inserted, namely:—

“(ix) ensure that children without having a legal guardian irrespective of their age are expeditiously declared legally free for adoption within the timeline as provided in the Act, rules and regulations;

(x) interact with older children living in the Child Care Institutions having no guardians and also with such children living in the Child Care Institutions who are not in contact with their guardians for several years and counsel such children about the benefit of family based care including foster care and adoption;

(xi) interact with all concerned both in physical and virtual modes in case of production of the child before the Committee, while giving instructions to the District Child Protection Unit or Specialised Adoption Agency or Child Care Institution, as the case may be, and in the process of declaring a child legally free for adoption.”.

13. In the principal rules, in rule 18,—

(i) after sub-rule (1), the following sub-rule shall be inserted, namely:—

“(1A) In extraordinary situations, when the movement of the Child or the Committee is restricted due to unforeseen circumstances, the child may be presented before the Committee through virtual mode and the Committee shall physically interact with the Child at the first opportunity.”;

(ii) after sub-rule (9), the following sub-rule shall be inserted, namely:—

“(10) The Committee shall ensure that the information regarding the child referred to in this rule is uploaded on a portal, as may be specified by the Central Government in this behalf.”.

14. In the principal rules, in rule 19,—

(i) in sub-rule (3), after the words “or Child Welfare Officer”, the words “or designated officer by the District Child Protection Unit” shall be inserted.

(ii) for sub-rule (4), the following sub-rules shall be substituted, namely: -

“(4) In case of placement of the child in non-institutional care, the Committee shall direct the District Child Protection Unit concerned to develop an individual care plan in Form 7 and in case of institutional care, shall direct the management of the Child Care Institution concerned to develop an individual care plan in Form 7, which includes a rehabilitation plan.

(4A) The individual care plan prepared for every child whether in the institutional care or non-institutional care shall be developed based on the case history, circumstances and individual needs of the child.

Explanation: For the purposes of this sub-rule, the expression non-institutional care does not include adoption.”;

(iii) after sub-rule (7), the following sub-rule shall be inserted, namely:—

“(7A) The Committee, while disposing the case and placing the child in an institution shall ensure that the institution is a registered Child Care Institution under section 41 of the Act or a fit facility declared under section 51 of the Act.”;

(iv) in sub-rule (8), after the words “or Child Welfare Officer”, the words “or designated officer by the District Child Protection Unit” shall be inserted;

(v) after sub-rule (8), the following sub-rule shall be inserted, namely:—

“(8A) The District Child Protection Unit after completing the social investigation within fifteen days shall submit the report to the Child Welfare Committee.”;

(vi) in sub-rule (17), after the words “or Child Welfare Officer of the institution”, the words “or designated officer by the District Child Protection Unit” shall be inserted.

15. In the principal rules, in rule 20,—

- (i) in sub-rule (3), for the words “the Selection Committee constituted under rule 87 of these rules”, the words “the State Child Protection Society” shall be substituted;
- (ii) after sub-rule (3), the following sub-rule shall be inserted, namely:—
 “(4) Any grievance arising out of the functioning of the Committee may be filed by the affected child or anyone connected with the child before the District Magistrate, who shall dispose the same within a period of thirty days by passing appropriate orders.”.

16. In the principal rules, for the rule 21, the following rule shall be substituted, namely:—**“21. Manner of Registration of Child Care Institutions**

- (1) All institutions running institutional care services for children in need of care and protection or children in conflict with law, whether run by the Government or voluntary organisation, shall be registered under sub-section (1) of section 41 of the Act, irrespective of being registered or licensed under any other Act for the time being in force.
- (2) All such institutions shall make an application in Form 27 together with a copy each of rules, bye-laws, memorandum of association, list of governing body, office bearers, list of trustees, balance sheet of preceding three years, statement of past record of social or public service provided by the institution to the State Government, Darpan Identification from National Institution for Transforming India Aayog and a declaration from the person or the organisation regarding any previous conviction record or involvement in any immoral act or in an act of child abuse or employment of child labour or that it has not been black listed by the State Government or District Administration;
- (3) The State Government shall, after receipt of the application for registration, send the application to the District Magistrate within fifteen days of receipt of the application to call for recommendations of the District Magistrate in Form 46A.
- (4) The District Magistrate may examine the requests vis-a-vis need in the district within thirty days from the date of receipt of application from the State Government.
- (5) The District Magistrate shall verify credibility, background and previous record of the Child Care Institution and the agency or individual promoting the institution and make specific recommendations to the State Government for consideration.
- (6) The following shall be considered by the District Magistrate while making recommendations, namely:—
 - (i) registration of the organisation under any law for the time being in force;
 - (ii) details of physical infrastructure, water and electricity facilities, sanitation and hygiene, recreation facilities and nutrition plan;
 - (iii) financial position of the organisation and maintenance of documents along with audited statement of accounts for the previous three years;
 - (iv) resolution of the Governing Body to run the institution or an open shelter;
 - (v) plan of action for providing services for children such as medical, vocational, educational, counselling, and the like, in case of new applicants and details of such services provided in case of existing institutions ;
 - (vi) arrangements of safety, security, transportation and support and access for differently-abled children;
 - (vii) details of other support services run by the organisation;
 - (viii) the institution is near a school within such area or limits of neighbourhood, as may be prescribed under the Right of Children to Free and Compulsory Education Act, 2009 (35 of 2009);
 - (ix) details of linkages and networking with other governmental, non-governmental, corporate and other community based agencies on providing need-based services to the children;
 - (x) details of existing staff with their qualification and experience;
 - (xi) details of registration under the Foreign Contribution (Regulation) Act, 2010 (42 of 2010) and funds available, if any;
 - (xii) a declaration from the person or the organisation regarding any previous conviction record or involvement in any immoral act or in an act of child abuse or employment of child labour;
 - (xiii) any other criteria as prescribed by the State Government.

(xiv) while making the recommendation, the District Magistrate shall assess the actual requirement of additional institutions, keeping in mind the occupancy levels of the existing institutions and the capacity of authorities under section 54 of the Act so that they can ensure compliance of the Child Care Institutions with provisions of the Act; and

(xv) certify to the effect that the relevant provisions of the Act and rules have been complied with.

(7) The State Government shall after verifying that provisions exist in the institution for the care and protection of children, health, education, boarding and lodging facilities, vocational facilities and rehabilitation as per the Act and the rules, and taking into account the requirements of the district and recommendation from the District Magistrate about the applicant institution, may issue a registration certification to such institution under sub-section (1) of section 41 of the Act in Form 28.

(8) The State Government, while taking a decision on the application for registration, shall consider the following namely:—

(i) recommendations of the District Magistrate;

(ii) confirm that all the eligibility conditions as per the Act are met with;

(iii) any other criteria as prescribed by the Centre or the State Government has also been followed.

(9) The State Government, shall not grant provisional registration where adequate facilities do not exist in the institution applying for registration and the State Government shall issue an order before the expiry of one month from the date of receipt of the application that the institution is not entitled for even provisional registration.

(10) The District Magistrate shall conduct a detailed annual inspection of all the institutions in the district which have been registered under the Act and such inspection shall be carried out in the format as provided under Form 46.

(11) If the inspection or the annual review reveals that there is unsatisfactory compliance with the standards of care, protection, rehabilitation and reintegration services and management of the institution as laid down under the Act and the rules or the facilities are inadequate, the State Government shall, at any time, serve notice on the management of the institution and after giving an opportunity of being heard, declare within a period of sixty days from the date of the detailed inspection or annual review as the case may be, that the registration of the institution or organisation, shall stand withdrawn or cancelled from a date specified in the notice and from the said date, the institution shall cease to be an institution registered under sub-section (1) of section 41 of the Act.

(12) When an institution ceases to be an institution registered under the Act or has failed to apply for registration within the time frame laid down in the said provision or has not been granted provisional registration, the said institution shall be managed by the State Government or the children placed therein shall be transferred by the order of the Board or the Committee, to some other institution, registered under sub-section (1) of section 41 of the Act.

(13) All institutions shall be bound to seek renewal of registration three months prior to the expiry of the period of registration and in case of their failure to seek renewal of registration before the expiry of the period of registration of the institution, the institution shall cease to be an institution registered under sub-section (1) of section 41 of the Act and provisions of sub-rule (8) of this rule shall apply.

(14) An application for renewal of registration of an institution shall be disposed of within sixty days from the date of receipt of application.

(15) The decision on renewal of registration shall be based on the annual inspection done by the District Magistrate under Form 46A in the year in which renewal is sought.

(16) The Central Government shall facilitate developing a model online system for receipt and processing of applications and grant or cancellation of registration, and in the interim the systems existing in the States and Union territories shall continue.”.

17. In the principal rules, after rule 21, the following rule shall be inserted namely:—

“21A Manner of registration of Group Foster Care.—

(1) Every Group Foster Care shall be registered under the Act in a manner as prescribed under these rules.

(2) All such Foster Families willing to undertake children under Group Foster Care shall make an application to the State Government. At the time of application, the Foster Family shall also make declaration under Form 50

regarding any previous conviction record or involvement in any immoral act or in an act of child abuse or employment of child labour or that it has not been black listed by the State Government.

(3) The appropriate Government shall then verify the declaration form of the Foster Family and if found otherwise by the State Government, the Foster Family shall be liable for punitive action and immediate disqualification.

(4) Within a month of receipt of application for registration of Group Foster Care, the application shall be referred to the concerned District Magistrate by the State Government, for conducting inspection of the Group Foster Care and sending its recommendations.

(5) The District Magistrate shall conduct inspection and send its recommendation as per Form 47 within thirty days from the date of receipt of call of recommendation from the State Government.

(6) The District Magistrate while making its recommendations for registration of Group Foster Care shall examine that the Group Foster Care has the following facilities, namely:—

- (a) provide adequate food, clothing and shelter and education;
- (b) provide care, support and treatment for child's overall physical, emotional and mental health;
- (c) ensure protection from exploitation, maltreatment, harm, neglect and abuse;
- (d) provide age appropriate facilities for recreation, extra-curricular activities such as sports, music, dance, drama, art, and the like;
- (e) provide vocational training according to the interests of the child;
- (f) mandatory police verification of the individuals;
- (g) income tax returns of the individuals for the past three years;

(7) After considering the recommendations of the District Magistrate and verifying that provisions exist in the facility for the care and protection of children, health, education, boarding and lodging facilities, vocational facilities, the State Government may issue a registration certificate in Form 48.

(8) The District Magistrate shall conduct a detailed inspection to review annually after registration of the institution as per Form 47.

(9) As mandated under section 44 of the Act, the Child Welfare Committee shall conduct monthly inspection of Group Foster Care as per Form 47.

(10) The inspection reports of the District Magistrate, the Inspection Committees, and the Child Welfare Committees shall be shared with the District Child Protection Unit within a period of fifteen days of inspection for taking corrective action.

(11) Wherever the District Magistrate or the Inspection Committees or the Child Welfare Committee finds the Group Foster Care to be in violation of the provisions of the Act and these rules, the District Magistrate or the Committee shall recommend cancellation of registration of the facility to the State Government and forthwith shift the children from the facility by following due process.

Explanation: For the purpose of this rule, cancellation of registration shall be for a term not less than five years.”.

18. In the principal rules, in rule 23,—

(i) after sub-rule (1), the following sub-rule shall be inserted, namely:—

“(1A) while placing the child in foster care, the State Government shall ensure the following in order of preference, namely: -

- (i) child is placed in a similar social cultural milieu;
- (ii) first preference shall be given to the extended family of the child, which does not include child's biological or adoptive parents;

Provided that any of the immediate or extended family members are not the alleged accused/perpetrators of abuse on the child.

- (iii) second Preference shall be given to an unrelated family known to the child.
- (iv) third Preference shall be given to an unrelated foster family.
- (v) fourth Preference shall be given to Group Foster Care.”;

(ii) in sub-rule (3), after the words “shall be taken by the Committee”, the words “within a period of three months.” shall be inserted;

(iii) after sub-rule (9), the following sub-rule shall be inserted, namely:—

“(9A) The District Child Protection Unit shall submit the Home Study Report of the Prospective Foster Care Family to the Committee within thirty days from the day of reference.”;

(iv) for sub-rule (11), the following sub rule shall be substituted, namely:—

“(11) The number of children placed under foster care shall not exceed two children at any given point of time (with the exception of siblings) excluding biological children of the foster family and the number of children under group foster care shall not exceed eight children including biological children of the foster caregiver at any given point of time.”;

(v) for sub-rule (13), the following sub-rule shall be substituted, namely:—

“(13) The District Child Protection Unit, while selecting Group foster care setting shall consider the following illustrative criteria, namely:-

(i) the Group Foster Care setting shall be registered under rule 21A of these rules and the inspections of the Group Foster Care setting shall be conducted as per provisions laid under these rules;

(ii) the Group Foster Care setting having registration under rule 21A of these rules shall follow the norms and standards as given under the Act and these rules and the norms and standards as laid down under these Rules shall be applicable as per children placed in Group Foster Care, which is a maximum number of eight children including biological children of the foster caregiver;

(iii) existence of child protection policy;

(iv) sufficient space and proper amenities for children;

(v) any facility housing more than eight children including biological children in Group foster care shall be registered as a Child Care Institution; and

(vi) medical reports of all the members of the Group Foster Caregivers residing in the premises shall be obtained including reports for Human Immunodeficiency Virus, Tuberculosis and Hepatitis B and the like to determine that they are medically fit.”.

(vi) for sub-rule (14), the following sub-rule shall be substituted, namely:—

“(14) The Central Government shall issue Model Guidelines for non-institutional care including Foster Care and Group foster care, based on which the process for selection of Foster Care and Group foster care setting shall be notified by the State Government.”.

(vii) after sub-rule (19), the following sub-rule shall be inserted, namely:—

“(20) The foster family or group foster care shall be black listed from the foster care programme and shall also not be eligible to adopt a child under the Act:

(i) if the foster family or persons in group foster care are convicted of an offence involving moral turpitude, and such conviction has not been reversed or has not been granted full pardon in respect of such offence;

(ii) if a complaint, of child abuse or violation of human rights or child rights, registered against the foster family or persons in group foster care has been proven by the State Government, based on an inquiry.

Explanation: For the purpose of this rule, a blacklisted foster family or group foster family shall not be eligible to apply for foster care.”.

19. In the principal rules, in rule 24,—

(i) in sub-rule (1), for clause (iii), the following clause shall be substituted, namely:—

“(iii) community or organisation sponsorship;”;

(ii) in sub-rule (1), after clause (v), the following clause shall be inserted, namely:—

“(vi) sponsorship through institutions, companies or corporations either public or private;

Explanation: For the purposes of this clause, sponsorship shall be prioritised for providing support to families for the purpose of restoration of the child to the family or relative or guardian.”;

(iii) for sub-rule (2), the following sub-rule shall be substituted, namely:—

“(2) The District Magistrate shall draw up a sponsorship plan for the district in consultation with the stakeholders, generate resources by way of public and private contributions and ensure that the vulnerable children in the district are supported either partially or fully, as per their requirement.”;

(iv) after sub-rule (2), the following sub-rule shall be inserted, namely:—

“(2A) The District Child Protection Unit shall prepare a panel of persons or families or organisations interested in sponsoring a child.”;

(v) after sub-rule (3), the following sub-rules shall be substituted, namely:—

“(4) The District Child Protection Unit shall forward the panel to the Board or the Committee or the Children’s Court, for passing appropriate order for placement of the child under sponsorship in Form 36.

(5) The District Child Protection Unit, in case of individual sponsorship, shall open an account in the name of the child to be operated preferably by the mother and the money shall be transferred directly from the bank account of the District Child Protection Unit to the bank account of the child.

(6) The duration of sponsorship should be as per the Individual Care Plan of the child, which may cover a period up to the age of eighteen years and may also be extended to the aftercare program of the child.”.

(vi) after sub- rule (6), the following sub-rule shall be inserted, namely:—

“(7) The procedure for sponsorship through institutions, organisations, companies or corporations either public or private shall be as specified by the State Government.”

20. In the principal rules, in rule 25,—

(i) in sub-rule (1), for the words “The State Government shall”, the words “The State Government through the District Magistrate shall” shall be substituted;

(ii) after sub-rule (2), the following sub-rules shall be inserted namely:—

“(2A) The District Magistrate may facilitate scholarships for higher education; loan for education or starting small business for children leaving the Child Care Institutions and convergence with the Government schemes or private entrepreneurs may be explored for the purpose.

(2B) The District Magistrate may facilitate campus placements and apprenticeship assignments in collaboration with the local businesses and industry, subject to the condition that such business or industry or agency is found suitable for engaging with the children and prescribes to the Child Protection Policy as mandated under the Protection of Children from Sexual Offences Rules, 2020.

(2C) The District Magistrate may maintain oversight on such arrangements with the help of the Police and other stakeholders to ensure that the interest of children are not compromised in any manner.”.

21. In the principal rules, in rule 27,—

(i) in sub-rule (8), for the words “shall be sent to the Children’s Court, Special Juvenile Police Unit and District Child Protection Unit”, the words “shall be sent to the District Magistrate, the District Child Protection Unit, the Children’s Court and the Special Juvenile Police Unit” shall be substituted;

(ii) in sub-rule (9), for the words “the Children’s Court, Special Juvenile Police Unit, the District Child Protection Unit and the State Child Protection Society.” the words “the District Magistrate, the District Child Protection Unit, the Children’s Court, the Special Juvenile Police Unit and the State Child Protection Society” shall be substituted;

(iii) in sub-rule (10), the words “(viii) group foster care” shall be omitted.

22. In the principal rules, in rule 28,—

(i) in sub-rule (5), for the words “shall be sent to the Children’s Court, Special Juvenile Police Unit and District Child Protection Unit”, the words “shall be sent to the District Magistrate, the District Child Protection Unit, the Children’s Court and Special Juvenile Police Unit” shall be substituted.;

(ii) in sub-rule (6), for the words “be sent to the Special Juvenile Police Unit, the District Child Protection Unit and the State Child Protection Society.” the words “be sent to the District Magistrate, District Child Protection Unit, Special Juvenile Police Unit and the State Child Protection Society” shall be substituted.

23. In the principal rules, in sub-rule (8) of rule 33, after sub-clause (g) of clause (iv), the following sub-clause shall be inserted, namely:-

“(h) Birthday of any of the children in the Child Care Institution.”.

24. In the principal rules, in rule 34, —

(i) in sub-rule (3), after clause (v), the following clause shall be inserted, namely:—

“(v a) periodic medical health screening of each child to be conducted with the help of the nearest Government healthcare facilities; ”;

(ii) in sub-rule (3), in clause (xii), after the words “to an appropriate centre administered by qualified persons”, the words “or running under any Government Scheme of the Ministry or Department” shall be inserted;

(iii) in sub-rule (6), for the words “The State Government through the District Child Protection Unit of the District”, the words “The District Magistrate through the Chief or District Medical Officer” shall be substituted;

(iv) after sub-rule (6), the following sub-rule shall be inserted, namely:—

“(6A) The State Government may be approached in the event of inadequate facilities in the District and the concerned State Government shall make necessary arrangements in all such cases.”.

25. In the principal rules, in rule 35,—

(i) in sub-rule (2), for the words “shall participate in facilitating”, the words “shall be provided necessary training or capacity building so as to facilitate” shall be substituted;

(ii) for sub-rule (4), the following sub-rule shall be substituted, namely:—

“The facilities available under the concerned mental health programme at State or District Level under the Ministry or Department of Health shall be utilized for providing facilities for mental health to the children.”.

26. In the principal rules, in rule 37,—

(i) in sub-rule (4), after the words “shall be submitted to”, the words “the District Magistrate,” shall be inserted;

(ii) after sub-rule (4), the following sub-rules shall be inserted, namely:—

“(5) The District Magistrate may ensure convergence with existing Central or State Government programmes for skilling and vocational training of the children.

(6) Every child aged fourteen and above living in a Child Care Institution or under non-institutional care may be given the option of skill development and vocational training.”.

27. In the principal rules, in rule 39, after sub-rule (6), the following sub-rule shall be inserted, namely:—

“(6A) The District Child Protection Unit shall compile the recommendations of the Management Committees and suggestions of the children received from the Suggestion Box from all Child Care Institutions in the Districts on a monthly basis, action taken on the same and submit a detailed report to the District Magistrate.”.

28. In the principal rules, in rule 41,—

(i) for sub-rule (1), the following sub-rule shall be substituted, namely:—

“(1) The State Government shall constitute the State level inspection committee and the District Magistrate shall constitute district level inspection committees.”;

(ii) in sub-rule (6), for the words “shall forward the same to the State Child Protection Society or the District Child Protection Unit”, the words “shall forward the same to the District Magistrate and the State Child Protection Society” shall be substituted;

(iii) after sub-rule (6), the following sub-rule shall be inserted, namely:—

“(6A) The Inspection report of the State Inspection Committee shall be forwarded to the District Magistrate within a period of two weeks of the visit.”;

(iv) after sub-rule (7), the following sub-rule shall be inserted, namely:—

“(7A) Appropriate action shall be taken within a month by the District Magistrate and a compliance report for the same shall be submitted to the State Child Protection Society, in two months period.”;

(v) for sub-rule (8), the following sub-rule shall be substituted, namely:—

“(8) The District Inspection Committee shall comprise of the following members, namely:—

(i) Additional District Magistrate- Chairperson;

(ii) Member of the Board or the Committee;

(iii) District Child Protection Officer as the Member Secretary;

(iv) one Medical Officer nominated by the Chief or District Medical Officer of the district;

(v) one member of the civil society working in the area of child rights, care, protection and welfare, who is not a part of the management or organisation or has any pecuniary interest in such organisation of any Child Care Institution

(vi) one mental health expert who has experience of working with children; and

(vii) any other person of repute from society not having conflict of interest, deemed appropriate by the District Magistrate.”

- (vi) in sub-rule (11), for the words “to the District Child Protection Unit”, the words “to the District Magistrate” shall be substituted;
- (vii) for sub-rule (13), the following sub-rule shall be substituted, namely:—
“(13) The District Magistrate shall take necessary action on the report of the District Inspection Committee and ensure corrective measures are taken in a time bound manner.”

(viii) after sub-rule (13), the following sub-rule shall be inserted, namely:—

“(14) The District Magistrate shall submit a report on the Child Care Institutions functioning in the District and measures taken for their improvement once every year to the State Government.”.

29. In the principal rules, in rule 43,—

- (i) in sub-rule (1), after the words “and cases pending for decision to the Authority online”, the words “on a monthly basis” shall be inserted;
- (ii) after sub-rule (1), the following sub-rules shall be inserted, namely:—
“(2) The information to be provided in sub-rule (1) shall also be provided to the District Magistrate in Form 16A.
(3) The District Magistrate after review of the report submitted by the Child Welfare Committee in Form 16A shall take necessary measures to expedite the process of adoption of children declared legally free for adoption.”.

30. In the principal rules, in rule 44, in sub-rule (1),—

- (i) for clause (ii), the following clause shall be substituted, namely:—
“(ii) Every child who does not get a family either in in-country adoption or in inter-country adoption and is placed under the hard to place category, shall be eligible to be placed in foster care, by the Committee on the recommendation of the District Child Protection Unit or the Specialised Adoption Agency.”;
- (ii) clauses (iii) and (iv) shall be omitted;
- (iii) in clause (v),—
(a) for the words “a minimum of five years”, the words “a minimum of two years” shall be substituted;
(b) for the words “after registering in Child Adoption Resource Information and Guidance System”, the words “after registering in the portal of the Authority” shall be substituted.

31. In the principal rules, in rule 45,—

- (i) for the marginal heading, “Procedure before the Court”, the marginal heading, “Procedure before the District Magistrate” shall be substituted;
- (ii) for sub-rule (1), the following sub-rule shall be substituted, namely:—
“(1) The procedure for obtaining an Adoption Order from the District Magistrate or the Additional District Magistrate (authorized by the District Magistrate), as the case may be, shall be such as provided in Adoption Regulations.”;
- (iii) for sub-rule (2), the following sub-rule shall be substituted, namely:—
“(2) The District Magistrate, for the purpose of an application for adoption order, shall follow the procedure as laid down in the Act and the Adoption Regulations.”;
- (iv) after sub-rule (2), the following sub-rule shall be inserted, namely:—
“(3) All the cases pertaining to adoption matters pending before the Court shall stand transferred to the District Magistrate from the date of commencement of these rules.”.

32. In the principal rules, in rule 46,—

- (i) for sub-rule (1) the following sub-rule shall be substituted, namely:—
“(1) The District Magistrate or the Additional District Magistrate (authorised by the District Magistrate), as the case may be, shall dispose of an application for making an adoption order within a period of two months from the date of filing of the application, as provided under sub-section (2) of section 61 of the Act.”;
- (ii) in sub-rule (2), for the words “No information or Court order”, the words “No information or Adoption order issued by the District Magistrate” shall be substituted.

33. In the principal rules, in rule 49, in sub-rule (1),—

- (i) in clause (vii), after the words “guidance to State Adoption Resource Agencies,”, the words “the District Magistrate,” shall be inserted.
- (ii) in clause (viii), for the words “State Governments and the State Adoption Resource Agencies,”, the words “State Governments, the State Adoption Resource Agencies and the District Magistrate,” shall be substituted.
- (iii) in clause (ix), in sub-clause (b), the words “and child care institutions” shall be omitted.
- (iv) for clause (xi) the following sub-clause shall be substituted, namely:-
“(xi) maintain a comprehensive centralised database and portal relating to children and prospective adoptive parents for the purpose of adoption;”.

34. In the principal rules, in rule 50,—

- (i) in sub-rule (4), in clause (ii), for the words “the Child Adoption Resource Information and Guidance System”, the words “the centralised database and portal relating to children and prospective adoptive parents for the purpose of adoption;” shall be substituted;
- (ii) in sub-rule (8), for the words “from the National Legal Services Authority.”, the words “from the Department of Legal Affairs and the Legislative Department, Ministry of Law and Justice.” shall be substituted;
- (iii) in sub-rule (15), for the words, letters and figures, “sitting fee of Rs.1,000/- per sitting,” the words “sitting fee of not less than Rupees Two Thousand per sitting,” shall be substituted.

35. In the principal rules, in sub-rule (2) of rule 51, after the words “may also be convened”, the words “by video conference, through web or” shall be inserted.

36. In the principal rules, in rule 54,—

- (i) in sub-rule (1), the words “childline services” shall be omitted;
- (ii) after sub-rule (5), the following sub-rules shall be inserted, namely:—
“(5A) The State Government shall take appropriate action on the recommendations of the Committee or the Board, as the case may be.
(5B) The District Child Protection Unit shall ensure transfer of children at the earliest, under intimation to the State Government.”.

37. In the principal rules, after sub-rule (3) of rule 55, the following sub-rule shall be inserted, namely:—

- “(4) Relevant sections of the Indian Penal Code, 1860 (45 of 1860) or any other law for the time being in force shall be applicable for offences under section 75 of the Act.”.

38. In the principal rules, after rule 55, the following rule shall be inserted, namely: —

“55A – Procedure in case of offence under section 76 of the Act—

- (1) Whenever a child is found to be employed or used for the purposes of begging, an immediate investigation shall be undertaken by the Police in such cases and where an offence is made out under section 76 of the Act, a First Information Report shall be registered forthwith.
- (2) In case where the parents have engaged their children in begging, then an investigation shall be undertaken under section 76 of the Act prior to filing of First Information Report.
- (3) In case the child engaged in begging is found to be a victim of trafficking then provisions of the Immoral Traffic (Prevention) Act, 1956 (104 of 1956) and section 370 Indian Penal Code, 1860 (45 of 1860), which are cognizable offences, shall also be applicable.
- (4) In case the child engaged in child begging is found to be a victim of child labour then provisions of the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 (61 of 1986), which are cognizable offences, shall also be applicable.
- (5) In case the child engaged in begging, is also found to be kidnapped for the purposes of begging then offences under sections 359 to 369 of Indian Penal Code, 1860 (45 of 1860), which is a cognizable offence shall also be applicable.”.

39. In the principal rules, after rule 57, the following rule shall be inserted, namely:—

“57A – Procedure in case of offence under section 79 of the Act—

- (1) Whenever a child is found to be employed as a child labour, an immediate investigation shall be undertaken by the Police in such cases and where an offence is made out under section 79 of the Act, a First Information Report shall be registered forthwith.

(2) In case the child is found to be a victim of child labour then provisions of the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 (61 of 1986), which are cognizable offences, shall also be applicable.

(3) In case the child engaged as child labour is found be a victim of trafficking then provisions of the Immoral Traffic (Prevention) Act, 1956 (104 of 1956) and section 370 of Indian Penal Code, 1860 (45 of 1860), which are cognizable offences, shall also be applicable.”.

40. In the principal rules, in rule 59,—

(i) after sub-rule (5), the following sub-rule shall be inserted, namely :—

“(5A) The Committee shall submit a report regarding such children and action taken regarding their rehabilitation to the District Magistrate. The District Magistrate shall ensure action regarding shifting of children to a safe place and closure of the Institution within seven days and recommend cancellation of registration of the agency to the State Government.”;

(ii) in sub-rule (6),—

(a) for the words “The Committee shall recommend” the words “The District Magistrate shall recommend” shall be substituted;

(b) after the words “shall also be withdrawn.”, the words “and the State Government shall take appropriate action within fifteen days.” shall be inserted;

(iii) after sub-rule (6), the following sub-rule shall be inserted, namely:—

“(7) In case the child that is sold and is also trafficked, then the provisions of the Immoral Traffic (Prevention) Act, 1956 (104 of 1956) and section 370 of the Indian Penal Code, 1960 (45 of 1860) shall also be applicable.”.

41. In the principal rules, in sub-rule (9) of rule 60, for the words “the State Government”, the words “the District Magistrate” shall be substituted.

42. In the principal rules, in rule 61, after clause (xxxii) of sub-rule (3), the following clauses shall be inserted, namely,—

“(xxxiii) check the Children’s Suggestion or Complaint Book daily and inform the District Child Protection Unit and the Committee or the Board promptly about urgent complaints.

(xxxiv) maintain a record of complaints received in the Children’s Suggestion or Complaint Book and actions taken thereto”.

43. In the principal rules, in sub-rule (2) of rule 68, in clause (v), after the words “the State Government”, the words “or the District Magistrate” shall be inserted.

44. In the principal rules, in rule 69, under sub-heading K, after sub-rule (2), the following sub-rule shall be inserted, namely:—

“(3) The children shall be educated about their rights and the Child Care Institution may encourage the children and indulge them in education, sports and other extra-curricular activities.”.

45. In the principal rules, in rule 73, in clause (xxi) of sub-rule (3), the words “social investigation report, order of the Committee, linkage with schemes” shall be inserted in the beginning.

46. In the principal rules, in rule 75, in sub-rule (1)—

(i) in clause (ii), after the words “Board or Committee”, the words “and the District Magistrate, National or State Commission for Protection of Child Rights, as the case may be” shall be inserted;

(ii) in clause (iii), after the words “Board or Committee”, the words “and the District Magistrate, the National or State Commission for Protection of Child Rights, as the case may be” shall be inserted;

(iii) in clause (iv), after the words “report the matter to the police”, the words “and the District Magistrate, National or State Commission for Protection of Child Rights, as the case may be” shall be inserted;

47. In the principal rules, in rule 76, after clause (ii) of sub-rule (2), the following sub-clause shall be inserted, namely:—

“(iia) in the event a case of sexual abuse is reported, procedure under section 19 of the Protection of Children from Sexual Offences Act, 2012 (32 of 2012), shall be followed”;

48. In the principal rules, in sub-rule (1) of rule 77, in the Table, against the serial number 6, in column (2), for the entry, “Children’s Suggestion Book”, the entry “Children’s Suggestion or Complaint Book” shall be substituted.

49. In the principal rules, in rule 79,—

- (i) in sub- rule (8), the word “girl” shall be omitted, and after the words “Where a child”, the words, “under eighteen years of age” shall be inserted.
- (ii) after sub- rule (8), the following sub- rule shall be inserted, namely:—
 “(9) Where a girl, above eighteen years of age, is released from the Child Care Institution and has no place to go, she shall be provided with accomodation in the Working Women Hostels, or other such government facilities, till the time some other suitable arrangement is made by her.”

50. In the principal rules, in rule 81,—

- (i) in the marginal heading, for the words “Transfer of Child”, the words “Transfer or Repatriation of Child” shall be substituted;
- (ii) for sub-rule (5), the following sub-rule shall be substituted, namely:—
 “(5) Where the child is a national of another country, on the production of the child before the Board or the Committee, the Board or the Committee shall inform the District Magistrate who shall initiate the process for repatriation of the child immediately through the appropriate Department of the State Government and in consultation with the Ministry of Home Affairs and the Ministry of External Affairs, as the case may be.”;
- (iii) after sub-rule (5), the following sub-rules shall be inserted, namely:—
 “(5A) The District Magistrate shall prepare a list of children to be repatriated and furnish the same to the Monitoring Authority (National Commission for Protection of Child Rights or State Commission for Protection of Child Rights, as the case may be) as per the protocols.
 (5B) The Monitoring Authority shall follow up with the concerned Government or Private Agencies for getting the child repatriated.
 (5C) The Monitoring Authority shall then submit a status report of the children who are to be repatriated to the Central Government and the State Government, as the case may be on a quarterly basis.”.

51. In the principal rules, for rule 82, the following rules shall be substituted, namely:—

“82A. Restoration and Follow-up for children in conflict with law—

- (1) The Board or the Children’s Court may make an order in Form 44 for the release of the child placed in a Child Care Institution after hearing the child and his parents or guardian, and after satisfying itself as to the identity of the persons claiming to be the parents or the guardian.
- (2) While passing an order for restoration of the child, the Board or the Children’s Court shall take into account the reports of the Probation Officer Worker or the designated officer of the District Child Protection Unit or non-governmental organisation, including report of a home visit prepared on the direction of the Board or the Children’s Court in appropriate cases, and any other relevant document or report brought before the Board or the Children’s Court.
- (3) When a child expresses his unwillingness to be restored back to the family, the Board or the Children’s Court shall interact with the child to find out the reasons for the same and record the same and the child shall not be coerced or persuaded to go back to the family.
- (4) The child would also not be restored back to the family where the parents or guardians refuse to accept the child back and in all such cases, the Board or the Children’s Court shall provide alternative means for rehabilitation.
- (5) The child may not be restored back to the family where the social investigation report prepared by the Probation officer or designated officer of the District Child Protection Unit or the Child Welfare Officer or the non-governmental organisation establishes that restoration to family may not be in the interest of the child.
- (6) The order of restoration shall include an individual care plan prepared by the Probation Officer or the designated officer of the District Child Protection Unit or the non-governmental organisation.
- (7) The Board or the Children’s Court, while directing restoration of the child, may pass order for an escort in Form 45, where necessary.
- (8) Besides police, the Board may seek collaboration with the District Child Protection Unit to accompany the child back to the family for restoration.
- (9) In case of girls, the child shall necessarily be accompanied by female escorts.
- (10) The copy of the restoration order along with a copy of the order for escort shall be forwarded by the Board or the Children’s Court to the District Child Protection Unit which shall provide funds for the restoration of the child, including travel and other incidental expenses.

(11) A follow-up plan shall be prepared as part of the individual care plan by the Child Welfare Officer or the Case Worker or the social worker or the non-governmental organisation.

(12) The follow-up report shall state the situation of the child post restoration and the measures necessary in order to reduce further vulnerability of the child.

82B. Restoration and Follow-up for children in need of care and protection-

(1) The Committee may make an order in Form 44 for the release of the child placed in a Child Care Institution after hearing the child and his parents or guardian, and after satisfying itself as to the identity of the persons claiming to be the parents or the guardian.

(2) While passing an order for restoration of the child, the Committee shall take into account the reports of the social worker or Child Welfare Officer or Case Worker or designated officer of the District Child Protection Unit or non-governmental organisation, including report of a home visit prepared on the direction of the Committee in appropriate cases, and any other relevant document or report brought before the Committee.

(3) When a child expresses his unwillingness to be restored back to the family, the Committee shall interact with the child to find out the reasons for the same and record the same and the child shall not be coerced or persuaded to go back to the family.

(4) Where the child refuses to go back to the family or the family refuses to take back the child due to reasons of financial constraints, the District Magistrate shall explore all possibilities of providing all Central and State sponsored schemes including sponsorship under section 45 of the Act, Juvenile Justice Fund under section 105 of the Act, Corporate Social Responsibility funds or any other scheme to strengthen the family financially in the best interest of the child.

Explanation: For the purpose of this sub-rule, financial capability of the family may be ascertained through any income documents such as bank statement of past one year or Income Tax returns of the past three years or property registration of the family or income certificate, whichever is available.

(5) The child would also not be restored back to the family where the parents or guardians refuse to accept the child back and in all such cases, the Committee may provide alternative means for rehabilitation.

(6) The child may not be restored back to the family where the social investigation report prepared by the Child Welfare Officer or the social worker or the Case Worker or the non-governmental organisation or designated officer by the District Child Protection Unit or management of Child Care Institution, as the case may be, establishes that restoration to family may not be in the interest of the child.

(7) The District Child Protection Unit shall submit the report regarding restoration plan for eligible children and its implementation and the District Magistrate may facilitate restoration of children and intervene wherever required.

(8) The order of restoration shall include an individual care plan prepared by the social worker or the Child Welfare Officer or the Case Worker or the non-governmental organisation.

(9) The Committee, while directing restoration of the child, may pass an order for an escort in Form 45, where necessary.

(10) Besides police, the Committee may seek collaboration with the District Child Protection Unit to accompany the child back to the family for restoration.

(11) In case of girls, the child shall necessarily be accompanied by female escorts.

(12) The copy of the restoration order along with a copy of the order for escort shall be forwarded by the Committee to the District Child Protection Unit which shall provide funds for the restoration of the child, including travel and other incidental expenses.

(13) Where the child has not been declared legally free for adoption, all efforts must be made to restore the child with their guardian or relatives, if they are deemed to be fit by the Committee.

(14) The District Magistrate shall explore all possibilities to provide benefit under all Central and State sponsored schemes including Sponsorship under section 45 of the Act and the Juvenile Justice Fund under section 105 of the Act.

(15) A follow-up plan shall be prepared as part of the individual care plan by the Child Welfare Officer or the Case Worker or the social worker or the non-governmental organisation.

(16) The follow-up report shall state the situation of the child post restoration and the measures necessary in order to reduce further vulnerability of the child.”

52. In the principal rules, after sub-rule (6) of rule 83, the following sub-rule shall be inserted, namely:—

“(7) The District Magistrate may submit proposal to the State for seeking funds from the State Juvenile Justice Fund for implementing projects for children in the District regarding any of the activities mentioned under this rule.”

53. In the principal rules, in sub rule (1) of rule 84,—

(i) in the opening portion, after the words “The State Child Protection Society”, the words “shall only comprise of the officials from the State Government and” shall be inserted.

(ii) in clause (iv) for the words “received from various District Child Protection Units” the words “received from various District Magistrates” shall be substituted.

54. In the principal rules, after rule 84, the following rule shall be inserted, namely:-

“84A. State Adoption Resource Agency—

(1) The State Government shall set up a State Adoption Resource Agency for dealing with adoptions and related matters in the State under the guidance of the Authority, as per the provisions of section 67 of the Act and the Adoption Regulations.

(2) The Governing Body of the State Adoption Resource Agency shall be headed by the Principal Secretary or the Secretary of the Department of the State Government.

(3) The Director of the Department of the State Government dealing with adoption shall be the Member Secretary and Chief Executive Officer of the State Adoption Resource Agency.”.

55. In the principal rules, in rule 85,—

(i) for the marginal heading, the following marginal heading shall be substituted, namely:-

“District Magistrate and District Child Protection Unit”;

(ii) in sub-rule (1),—

(a) for the opening portion, the following shall be substituted, namely:—

“The District Child Protection Unit shall function under the supervision of the District Magistrate and shall perform following functions, namely:”;

(b) after clause (ii), the following clause shall be inserted:—

“(ii a) make the social investigation report and the individual care plan for each child as directed by the Board or the Committee.”;

(c) In clause (xxiii), after the words “the State Child Protection Society” the words “and the District Magistrate” shall be inserted.;

(d) after clause (xxvii), the following clauses shall be inserted namely:—

“(xxviii) maintain a panel of social workers for assigning the work to be done by social workers under the Act;

(xxix) ensure that rights of the child are displayed in schools, hospitals, government buildings and other such places which are frequented by children.”.

(iii) for sub-rule (2), the following sub-rule shall be substituted, namely:—

“(2) The District Magistrate shall be the Nodal Officer in the district for the implementation of the Act and the rules, and may designate any Additional District Magistrate of the District to discharge the duties under the Act.”;

(iv) after sub-rule (2), the following sub-rule shall be inserted, namely:—

“(3) The District Magistrate shall hold quarterly review meetings with relevant stakeholders including the Police Department, the Education Department, the Health Department, the District Legal Services Authority, to discuss issues related to children in the district.”.

56. In the principal rules, in rule 88,—

(i) in sub-rule (6), the words “or Committee as the case may be” shall be omitted;

(ii) sub-rules (14) to (16) shall be omitted.

57. In the principal rules, in sub-rule (4) of rule 89, after the words “The State Government”, the words “or the District Administration” shall be inserted.

58. In the principal rules, in rule 91, in sub-rule (1), after clause (i), the following clause shall be inserted, namely:—
“(ia) inspect the Child Care Institutions including the Specialised Adoption Agencies and maintain a record of inspections conducted by the authorities”.
59. In the principal rules, in rule 92,—
(i) in clause (xi) of sub-rule(4), the words “childline services” shall be omitted;
(ii) in sub-rule (7), for the word “develop”, the word “issue” shall be substituted.
60. In the principal rules, for the Form 7, the following Form shall be substituted, namely: —

“FORM 7

[Rules 11(3), 13(7)(vi), 13(8)(ii), 19(4), 19(17), 62(6)(vii), 62(6)(x) and 69 I (3)]

INDIVIDUAL CARE PLAN

Child in Conflict with Law or Child in Need of Care and Protection

(Tick whichever is applicable)

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

Date of preparing the Individual Care Plan.....

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

FIR No.....

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

Police Station.....

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

Admission No. (If child is in an institution)

Date of Admission (if child is in an institution)

Stay of the child (Fill as applicable)

- (i) Short term (up to six months)
- (ii) Medium Term (six months to one year)
- (iii) Long term (more than 1 year)

FOR BOTH CATEGORIES OF CHILDREN WHO ARE PLACED IN INSTITUTIONAL OR NON-INSTITUTIONAL CARE

1. **Personal details** (to be provided by child/parent/both on admission of the child in the institution)
 - (a) Name of the Child.....
 - (b) Age/Date of Birth.....
 - (c) Sex: Male/Female.....
 - (d) Father's name.....
 - (e) Mother's name.....
 - (f) Nationality.....
 - (g) Religion.....
 - (h) Caste.....
 - (i) Language spoken.....
2. Level of Education.....
3. Details of Savings Account of the child, if any.....
4. Details of awards/rewards received by the child, if any.....
5. Details of child's belongings, if any.....

6. Details of child's parents' property, if any-
7. Details of child's parents bank accounts, if any-
8. Details of child's insurance policy, if any-
9. Details of child's parents' insurance policy, if any-
10. Details of child's parents job compensation, pension if any-
11. Details of child's fixed deposits, savings, financial policy, mutual funds if any-
12. Details of parent's loans, Mortgages, other financial liabilities, if any-
13. Details of property to be inherited, if any-
14. Whether succession certificate issued or not?- a. yes b. no
15. Details of succession certificate-
16. Whether legal heir certificate issued or not?- a. yes b. no
17. Details of legal heir certificate-
18. Whether the child is orphan/abandoned/surrendered?
19. Based on the results of Case History, Social Investigation report and interaction with the child, give details on following areas of concern and interventions required, if any- **(This is for both categories of children who are placed in institutional or non-institutional care)**

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

20. Whether the child has any siblings? Yes/No
21. Whether the child and his/her sibling are being placed together? A. Yes B. No
22. Whether the child and his/her siblings are being surrendered by the single parent/ Guardian? A. Yes b. No C. Not Applicable
23. Case/Profile No. of the sibling/siblings-

24. In case the child is with disability or special needs or is terminally ill

(This may be relevant for both child in conflict with law and child in need of care and protection, as the case may be)

- (i) Whether the child who is suffering from disabilities have been provided with disability certificate. Yes/No. If Yes, please state the disability certificate no
- (ii) Whether such child has been provided with medical equipment like hearing aid, crutches etc. Yes/No. If Yes, please specify.....
- (iii) Whether the child has been provided for compensation /relief for his/her disability. Yes/No. If yes, please specify.....
- (iv) Education requirements of the child.....
- (v) Any other special needs of the child.....
- (vi) Any other recommendation.....

25. If the child belongs to Children in Street Situations/Trafficked/Involved in Drug Peddling/Child Labour
(This may be relevant for both child in conflict with law and child in need of care and protection, as the case may be)

- (i) Whether the child belongs to Children in Street Situation: Yes/No.
- (ii) Whether the child is a victim of child trafficking: Yes/No. If yes,
- (iii) Whether the child was involved in drug- peddling: Yes/No.
- (iv) Whether the child is a victim of child labour. Yes/No. If yes,
- (v) Whether the child who has been a victim of Child-Labour has been provided compensation under the Child Labour Rehabilitation-cum-Welfare Fund or any other scheme. Please Specify.....
- (vi) Whether such child who have been victim of child labour/ child trafficking/drug peddling/ or is a children in street situation provided with counselling? Yes/No
- (vii) Whether the child has been provided any compensation? Yes/ No.—If yes, please specify.....

26. If the child is a victim of abuse including sexual abuse: (This may be relevant for both child in conflict with law and child in need of care and protection, as the case may be)

- (i) Whether the child has been provided counselling?.....
- (ii) Whether any action has been taken against such offender/perpetrator? If Yes, Please specify.....
- (iii) Whether the child who has been a victim of sexual assault has been provided compensation as per the compensation scheme under the Protection of Children from Sexual Offences Act, 2012.....
- (iv) Any other compensation or relief provided to the child?.....
- (v) Any other observations.....

FOR CHILDREN PLACED IN INSTITUTIONAL CARE**27. Progress report of the child (to be prepared every fortnight for first three months and thereafter to be prepared once a month)**

[Note: Use different sheet for Progress Report]

- 1. Name of the Probation Officer/Case Worker/Child Welfare Officer.....
- 2. Period of the report.....
- 3. Admission No.....
- 4. Board or Committee details.....
- 5. Profile No.....
- 6. Name of the Child.....
- 7. Place of interviewDates.....

8. General conduct and progress of the child during the period of the report
9. Progress made with regard to proposed interventions as mentioned in point 19 of Part A of this form.

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

10. Any proceeding held before the committee or Board or Children's Court, details:-
11. Variation of conditions of bond:.....
12. Change of residence of the child:.....
13. Other matters, if any:.....
14. Period of supervision completed. Details:.....
15. Result of supervision with remarks (if any):.....
16. Name and Addresses of the parent or guardian or fit person under whose care the child is to live after the supervision is over:.....
- Date of report:.....
- Signature of the Probation Officer.....

28. Pre-release report (to be prepared 15 days prior to release):

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

S. No	Category	Rehabilitation and Restoration plan of the child
1.	Child's expectation from care and protection	
2.	Health and nutrition	
3.	Emotional and psychological	
4.	Educational and Training	
5.	Leisure, creativity and play	
6.	Attachments and Inter-personal Relationships	
8.	Self-care and life skill training for Protection from all kinds of abuse, neglect and maltreatment	
9.	Independent living skills	
10.	Any other	

6. Date of release/transfer/repatriation:.....
7. Requisition for escort if required:.....
8. Identification Proof of escort such as driving license, Aadhaar Card, etc:.....
9. Recommended rehabilitation plan including possible placements/sponsorships...
10. Details of Probation Officer/Non-Governmental Organization for post-release follow up:.....
11. Memorandum of Understanding with Non-Governmental Organisation identified for post-release follow-up (Attach a copy)
12. Details of sponsorship agency/individual sponsor, if any:.....
13. Memorandum of Understanding between the sponsoring agency and individual sponsor (Attach a copy):.....
14. Medical examination report before release:.....
15. Any other information:.....

29. Post-release/restoration report of the child:

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

IDENTITY CARDS	Present status (Please tick whichever Applicable)		Action taken
	Yes	No	
Birth Certificate			
School certificate			
Caste certificate			
Below Poverty Line Card			
Disability Certificate			
Immunization card			
Ration Card			
Adhaar Card			
Received compensation from Government			

[Instruction: Please verify with the physical document]

30. Adoption

(i) Whether the child has been declared legally free for adoption?

A. Yes B. No C. Not Applicable

(If not applicable, then subsequent questions do not apply)

(ii) Whether the child has been placed in a Specialised Adoption Agency or Child Care Institution?

A. Specialised Adoption Agency B. Child Care Institution

(iii) Social Investigation Report by Child Welfare Officer/Case worker/social worker, as the case may be submitted?

A. Yes B. No

(iv) Deed of surrender executed by the parents/guardian before the Committee?

A. Yes B. No C. Not Applicable

(v) Declaration submitted by District Child Protection Unit and Child Care Institution or Specialised Adoption Agency that all restoration efforts have been made for the child-

A. Yes B. No

(vi) Nobody has approached District Child Protection Unit and Child Care Institution or Specialised Adoption Agency for claiming the child as biological parents or legal guardians-

A. Yes B. No

(vii) All timelines under Section 38 of the Act have been adhered to before declaring the child legally free for adoption-

A. Yes B. No

FOR CHILDREN PLACED IN NON-INSTITUTIONAL CARE (EXCEPT ADOPTION)

- Guardian's name (if applicable)
- Parents/Guardian's Nationality.....
- Parents/Guardian's Religion.....
- Child's nationality-
- Details of Adhaar card/voter Identity Card/pan card of the child.....
- Details of Adhaar card/voter Identity Card /pan card of the child's parents.....
- Caste.....

8. Language spoken.....
9. Level of Education.....
10. Whether the child has been provided compensation/relief under various schemes of government.....
11. Where is the child being placed? –
(a) guardian (b) foster care (c) sponsorship (d) single parent
12. Whether the child is being surrendered by the single parent/Guardian?
A. Yes B. No C. Not Applicable
13. If yes, then whether the surrender deed has been made? A. Yes B. No
14. **Education- (Yes/No/Not applicable)** If yes, then
 - (i) Whether the child has been enrolled in school or a special training center?
 - (ii) If child is enrolled in school, then
 - (a) Name of the school.....
 - (b) Government/Private
 - (c) Class
 - (iii) Unified District Information System for Education Code of the said school.....
 - (iv) If child is enrolled in special training centre then,
 - (a) Center is Residential or Non-Residential.....
 - (b) Duration of enrollment
 - (v) Whether the child has been enrolled in school under clause (c) of sub-section (1) of section 12 of the Right to Education Act, 2009? Yes / No / NA
 - (vi) The Child Welfare Committee has recommended for continuing of education of the child in the same school as the child was studying in? Yes / No
 - (vii) On the basis of the recommendation, whether the child is continuing education in the same school as he was studying in? Yes/ No
 - (viii) The Child Welfare Committee has recommended for transfer of school for the child? Yes / No
 - (a) If yes, then what are the reasons given by the Child Welfare Committee for recommending transfer of school?
 - (ix) Whether the child has been admitted to/transferred to a new school? Yes/ No
 - (x) Details of new school along with its Unified District Information System for Education Code.....
 - (xi) Address and Contact Details.....
 - (xii) Class in which admission/transfer taken place.....
 - (xiii) Class in which the child was transferred from previous school.....
 - (xiv) On the basis of the recommendations of Child Welfare Committee, whether the school in which the child is studying in is giving the benefit under clause (c) of sub-section (1) of section 12(1)(c) of the Right to Education Act, 2009 to the child? Yes / No
 - (xv) Whether the child is being given free education by the appropriate government? Yes / No
 - (xvi) Is the child availing any scholarship? Yes / No
 - a. If yes, name of the scholarship
 - b. Amount of scholarship
 - (xvii) Any other observation and recommendation made by the Child Welfare Committee for education of the child.....
15. **Sponsorship**
 - (i) The child has been recommended for sponsorship by the Child Welfare Committee?
A. Yes B. No **(If no, then subsequent questions do not apply)**

- (ii) Whether sponsorship for the child has been approved by a Committee headed by District Magistrate:
A. Yes B. No
- (iii) Nature of sponsorship: i. Government ii. Private
- (iv) Type of sponsorship
 - (a) Individual to Individual sponsorship
 - (b) Group Sponsorship
 - (c) Community or organisation sponsorship
 - (d) Support to families through sponsorship
 - (e) Support to children homes and special homes
 - (f) Sponsorship through:
 - i. Institutions,
 - ii. Companies
 - iii. Corporations either public or private
 - (g) Any other
- (v) Whether child has started receiving money under the sponsorship program-
A. Yes B. No
- (vi) Recommended duration of sponsorship:.....
- (vii) Any other information:.....

16. Restoration of the child:

- (i) Whether the child is being restored to:-
Single Parent / Biological Parents / Guardian/ Relative
- (ii) Name of the person to whom the child is being restored to.....
- (iii) Address and contact details of person where the child is being restored to.....
- (iv) If the child is being restored to Guardian/relative, then-
- (v) Relationship of the child with the guardian/relative-
- (vi) Does the guardian/relative have children of their own? A. yes B. No
- (vii) If yes, Details of guardian/relatives' children-
- (viii) Social and financial condition of the guardian/relative-
- (ix) Whether the child will be staying in the same State where the child was found? Yes/No
- (x) Whether the child needs to be transferred to another State for restoration? Yes/No. If yes:
 - (a) Name of the State where the child is restored to-
 - (b) An escort is required for transfer of the child to another State?
A. Yes B. No.
If yes: Identification Proof of escort such as driving license, Aadhar Card, etc.....
 - (c) Whether District Child Protection Unit/ Child Welfare Committee of the concerned district of the State where the child is being transferred to has been informed about the transfer orders? Yes/No
 - (d) Whether the child's documents/Social Investigation Report/ Individual Care Plan/ Orders of Child Welfare Committee have been transferred to the concerned CWC of the State? Yes/No
 - (e) Details of Child Welfare Committee where the case is transferred.....
- (xi) Child Welfare Committee has recommended follow-up of the child post restoration: Yes / No
- (xii) Status of bank accounts of the child.....
- (xiii) The belongings of the child are handed over to the child/parent/guardian: Yes/No
- (xiv) Identity Cards and Compensation:

IDENTITY CARDS	Present status (Please tick whichever is applicable)		Action taken
	Yes	No	
Birth Certificate			
School certificate			
Caste certificate			
Below Poverty Line Card			
Disability Certificate			
Immunization card			
Ration Card			
Adhaar Card			
Received compensation from Government			

REPATRIATION OF THE CHILD

- (i) Whether the child needs to be repatriated. Yes/No
- (ii) If yes, whether such repatriation is: (tick whichever is applicable)
- ☐ inter-district
- ☐ inter-state
- ☐ inter-country
- (iii) Whether information about repatriation of the child has been informed to the:-
- ☐ District Magistrate.
- ☐ State Government.
- ☐ Central Government.
- (iv) Has the process of repatriation of the child been initiated? Yes / No . Details:.....
- (v) Whether the details of the child to be repatriated has been informed to National or State Commission for Protection of Child Rights, as the case may be?
- (vi) Any other recommendation.....

.....

Signature of the Probation Officer/

Child Welfare Officer/District Child Protection Unit

Stamp and Seal where available”

61. In the principal rules, for Form 16, the following Form shall be substituted, namely: –

“FORM 16

[Rules 17(1)(v), 17(1)(v a), and 20(2)]

QUARTERLY REPORT BY CHILD WELFARE COMMITTEE

District

Quarterly Report for the period: From.....to.....

Details of Child Welfare Committee:

Sl. No.	Details	Date of Appointment	Training attended
1.	Chairperson		
2.	Member 1		
3.	Member 2		
4.	Member 3		
5.	Member 4		

Details of Cases with Child Welfare Committee:

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

Final Order							
Total number of final orders passed during the quarter							
Released to parent/guardian /fit person/ fit institution	Transfer To other Child Welfare Committee	Ordered to stay in Child Care Institution	Repatriated To Foreign Country	Declared Legally free for adoption	Ordered for Foster care/ sponsorship /Aftercare	Recommended to the Juvenile Justice Board For filing FIR	Initiated Process of compensation to child, if eligible

Details of the case regarding Restored children by Child Welfare Committee:

S. No	No. of children Restored			No. of children restored with parents	No. of children restored with fit person		No. of children restored and recommended for follow up
	Same District	Different District	Different State		guardian	relative s	

Details of the cases of Death of Child in Child Care Institution:

S. No.	Name of the deceased child	Cause of death	Name of Child Care Institution in the child was placed	Period of stay in Child Care Institution

Details of the cases of Runaway children:

S. No.	Name of the runaway child	Name of Child Care Institution, the child was placed	FIR No.	Background of the child

VISIT TO HOMES BY CHAIRPERSON/ MEMBERS

Date of visit:.....

Name and Address of Home visited:.....

Remarks/ Suggestions of the Committee:.....

Signature of Chairperson**Seal.”****62.** In the principal rules, after Form 16, the following Form shall be inserted, namely:—**“FORM 16 A***[Rule 43(2) and (3)]***MONTHLY REPORT BY CHILD WELFARE COMMITTEE**

District

Monthly Report for the period: From.....to.....

DETAILS OF THE CASE PERTAINING TO LEGALLY FREE FOR ADOPTION

Break-up of Pendency before Child Welfare Committee									
Orphan		Abandoned				Surrendered		Total	
Children for 0-2	Children > 2 years and <18 years	Children for 0-2	Children > 2 years and <18 years		Children > 2 years and <18 years	Children 0-18 years			
Pending for > 2 months	Pending for > 4 months	Pending for > 2 months	Pending for > 4 months		Pending for > 4 months	Pending for > 2 months			
M	F	M	F	M	F	M	F	M	F

Signature of Chairperson**Seal”****63.** In the principal rules, for Form 22, the following Form shall be substituted, namely: —**“FORM 22***[Rule 19(8)]***SOCIAL INVESTIGATION REPORT FOR CHILD IN NEED OF CARE AND PROTECTION****(Tick whichever is applicable)****1. Sl. No.**.....**2. Produced before the Child Welfare Committee**.....**3. Case No.**.....**4. Social Investigation Report Prepared by:** District Child Protection Unit/ Social Worker/ Case Worker/ Person in charge of Home/ representative of Non- Governmental Organization

5. Details of child in need of care and protection:

- (i) Name.....
- (ii) Age..... DD/MM/YY
- (iii) Gender.....
- (iv) Caste: (tick as applicable)
- ☐ General
- ☐ Scheduled Caste
- ☐ Scheduled Tribe
- ☐ Other Backward Class
- ☐ Others, specify.....
- ☐ Not Known
- (v) Religion.....
- (vi) Father's Name.....
- (vii) Mother's Name
- (viii) Guardian's Name.....
- (ix) Permanent Address.....
- (x) Landmark of the address.....
- (xi) Address of last residence
- (xii) Contact information father/mother/family member/guardian.....
- (xiii) Whether the child needs an interpreter/translator: Yes/ No
- (xiv) Whether the child is- Orphan / Abandoned / Surrendered / Others
- (xv) Previous institutional/case history and individual care plan, if any.....
- (xvi) Family Details: (YES/NO) If yes, then:

S.N.	Name and Relations hip	Age	Sex	Educati on	Occupation	Income	Health Status	History of Mental Illness	Addiction
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

- (xvii) Relationship among family members:

Father and mother	Cordial/Non cordial/Not known
Father and child	Cordial/Non cordial/Not known
Mother and child	Cordial/Non cordial/Not known
Father and siblings	Cordial/Non cordial/Not known
Mother and siblings	Cordial/Non cordial/Not known
Child and siblings	Cordial/Non cordial/Not known
Child and relative	Cordial/Non cordial/Not known

6. With whom was the child staying prior to production before the Committee:**(tick as applicable)**

- ☐ Parent(s) – Mother / Father / Both
- ☐ Siblings / Blood relative
- ☐ Guardian(s) – Relationship
- ☐ Friends
- ☐ On the street
- ☐ Night shelter
- ☐ Orphanages / Hostels/ Similar Homes
- ☐ Child Care Institution:
- ☐ Children's home
- ☐ Shelter home
- ☐ Specialised Adoption Agency
- ☐ Fit Facility
- ☐ Other (please specify).....

7. In case of orphan and abandoned child-

- (i) Where was the child found?
- (ii) What steps are being taken to trace the biological parents/relatives of the child? Please specify....
- (iii) If the biological roots of the child are known, reasons for death of both parents of the child.....

8. Whether the child needs to be repatriated: Yes/No. If yes:

- ☐ Inter- district repatriation
- ☐ Inter- state repatriation
- ☐ Inter- country repatriation

9. Whether child is eligible for the benefit of sponsorship: Yes/No**10. Whether the child is eligible for any scheme or entitlement.**

Yes/No (If Yes, please specify)

11. Whether child has received any kind of compensation in regard to the demise of any parent: Yes/No; Please Specify.....**12. Whether child should get benefit under clause (c) of sub-section (1) of section of Section 12 of the Right to Education Act, 2009: Yes / No****13. Financial support recommended for the child:**

- (i) Whether the child's parents had any property/FD/Cash/Insurance/bank accounts prior to their sudden demise: Yes/No; Details thereof.....
- (ii) Whether the child's parents have any loans, mortgages, financial liabilities?
A. Yes B. No. Details thereof.....
- (iii) Whether the child's parents have any collateral against that mortgage?
A. Yes B. No. Details thereof.....
- (iv) Whether the child's parents have any family business?
A. yes B. no. Details thereof....
- (v) Whether the child has acquired any right/share in the property (self-acquired/ancestral) from the deceased parent: Yes/No; Details thereof.....

14. Details of education of the child:

- (i) Whether the child has received education: Yes/No

- (ii) If yes, specify education up to which class.....
- (iii) If the child is enrolled in school, then name of the school-.....
- (iv) Whether the school of the child is registered on Unified District Information System for Education, if Yes, state Unified District Information System for Education Code.....
- (v) Type of school- Government/ Private.
- (vi) Whether the child has been enrolled in special training centre. Yes/No. If Yes specify duration of enrolment of child in Special Training center.....
- (vii) Whether the Special Training Center was Residential/Non- Residential
- (viii) The reason for leaving School (tick as applicable)
- ☐ Failure in the class last studied
 - ☐ Lack of interest in the school activities
 - ☐ Indifferent attitude of the teachers
 - ☐ Peer group influence
 - ☐ To earn and support the family
 - ☐ Sudden demise of parents
 - ☐ Bullying in school
 - ☐ Rigid school atmosphere
 - ☐ Absenteeism followed by running away from school
 - ☐ There is no appropriate level of school nearby
 - ☐ Abuse in school
 - ☐ Humiliation in school
 - ☐ Corporal punishment
 - ☐ Medium of instruction
 - ☐ Others (please specify).....
- (ix) Attitude of class mates towards the child (If applicable)
- (x) Attitude of teachers and classmates towards the child (If Applicable)
- (xi) Vocational Training (if any).....

15. Other factors of importance if any.....

16. Habits of the child: (tick as applicable)

- ☐ Watching TV/movies
- ☐ Playing indoor/outdoor games
- ☐ Reading books
- ☐ Drawing/painting/acting/singing
- ☐ Religious activities
- ☐ Begging
- ☐ Gambling
- ☐ Alcohol consumption
- ☐ Smoking
- ☐ Drug use, if yes, specify.....
- ☐ Any other, please specify.....

17. Extra-curricular interests.....

18. Outstanding characteristics and personality traits.....

19. Majority of the friends are (tick as applicable)

- ☐ Educated
- ☐ The same age group
- ☐ Older in age
- ☐ Younger in age
- ☐ Male
- ☐ Female
- ☐ Addicts
- ☐ Children in conflict with law

20. If child is friends with adults, please specify.....**21. Attitude of the child towards friends.....****22. Attitude of friends towards the child.....****23. Observation about neighbourhood** (to assess the influence of neighbourhood on the child).....**24. Whether the child has any addiction- YES / NO, if yes, specify.....****25. In case the child is with disability or special needs or is terminally ill****(If Yes, Specify):****A. Health status of the child**

- (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) Urinary tract infections –present / not known / absent
- (xii) Others (please specify).....

B. Whether the child is differently abled- Yes or No, if yes, specify-

- (a) Hearing Impairment
- (b) Speech Impairment
- (c) Physical disability
- (d) Mental disability
- (e) Locomotive disability
- (f) Others (please specify).....

C. Whether the child has a valid disability certificate. (If Yes, provide details)**D. Mental condition of the child: (Present and past).....****E. Physical condition of the child: (Present and past).....****F. Whether the child needs special education- Yes/No. If yes, specify:****G. Special education already included in the current school curriculum: Yes/No/Not Applicable****H. Whether the Child requires or has been using any medical equipment. (If yes, please specify)****I. Previous institutional/case history and individual care plan, if any.....**

J. Whether the child is receiving any pension under disability schemes. Yes/No (If yes then specify)

K. Any other remark/observation.....

26. In case the child belongs to Children in Street Situations/Trafficked/Involved in Drug Peddling/Child Labour:

A. Whether the child belongs to any of the category under Children in Street Situations: Yes/No. If yes, specify:

- (i) Children without support living on the streets all alone
- (ii) Children stay on the streets in the day and are back home in the night with their families who reside in a nearby slum/hutments.
- (iii) Children living on the streets with their families:

B. With whom was the child staying prior to production before the Committee:

- (i) Parent – Mother / Father / Both
- (ii) Siblings / Blood relative
- (iii) Guardian – Relationship
- (iv) Friends
- (v) On the street
- (vi) Night shelter
- (vii) Orphanages / Hostels/ Similar Homes
- (viii) Other (please specify).....

C. If there is history/ tendency of the child to run away from home.

Yes/ No. If yes:.....

- (i) What is the parents' attitude towards discipline in the home and child's reaction.....
- (ii) Reasons for leaving the family:
 - (a) Abuse by parent(s)/guardian(s)/step parents(s)
 - (b) In search of employment
 - (c) Peer group influence
 - (d) Incapacitation of parents
 - (e) Criminal record of parents
 - (f) Separation of Parents
 - (g) Demise of parents
 - (h) Poverty
 - (i) Others (please specify).....

D. Where was the child found, please specify

E. Whether the child has been used for begging: Yes/No

F. Whether the child has been involved in rag-picking: Yes/No

G. Whether the child is used by any gangs or adults or group of adults or has been used for drug peddling: Yes/No

H. Whether the child has been bought or sold or procured or trafficked for any purpose: Yes/No, if yes:

I. Whether the child was trafficked with knowledge of parents: Yes/No

J. Whether the child was sold by the parents/relatives: Yes/No

If yes, then whether any action has been taken against the parents/relative: Yes/No

K. Whether the child was employed as a labour: Yes/No, if yes:

- (i) Industry in which the child was employed.....

- (ii) Whether the child has faced exploitation at work : Yes/No
 - (a) Extracted work without payment
 - (b) Little or low wages with longer duration of work
 - (c) Others (Please specify).....
- (iii) Details of income utilization.....
- (iv) Any occupational hazard faced by the child: Yes/No. If yes, specify.....
- (v) Whether case filed against employer: Yes/No. If yes, specify case detail.....
- (vi) Compensation provided to the child:
 - (a) Interim
 - (b) Final
 - (c) Child Labour Rehabilitation cum Welfare Fund

L. Previous institutional/case history and individual care plan, if any.....

M. Whether temporary shelter has been provided to child: Yes/No

N. Has any plan been made for rehabilitation of the child, specify.....

O. Any other remarks/observation.....

27. In case the child has faced any kind of abuse, including sexual abuse, or has been a victim of any offence:

A. Whether the child is a victim of any offence: Yes/No

B. Types of abuse faced by the child:

(a) Verbal abuse— parents/siblings/ employers/others (please specify).....

(b) Physical abuse- parents/siblings/ Employers/others (please specify).....

(c) Sexual abuse by- (tick as applicable)

☐ relatives through blood

☐ relatives through adoption

☐ relatives through marriage

☐ relatives through guardianship

☐ persons in foster care

☐ person living in the same or shared household

☐ any person in the ownership, or management, or staff, of any institution providing services to a child

☐ any person in position of trust or authority

☐ Others (please specify)

(d) Others— parents/siblings/ employers/others (please specify).....

C. Types of ill- treatment met by the child:

(i) Denial of food— parents/siblings employers/other (please specify).....

(ii) Beaten mercilessly— parents/ Siblings/employers/other (please specify)

(iii) Causing injury— parents/ siblings/employers/other (please specify).....

(iv) Detention- parents/ siblings/employers/other (please specify).....

(v) Any other (please specify).....

D. In case of sexual abuse:

(i) Relationship with the perpetrator.....

(ii) Gender of the perpetrator.....

(iii) Age of the perpetrator.....

(iv) How the child came in contact with the perpetrator.....

- (v) Any other child from the same place who is abused / harassed / taken / sent by the perpetrator....
- (vi) Whether any other person/s were involved in the offence.....
- (vii) Whether any compensation has been recommended to the child under the Protection of Children from Sexual Offences Act, 2012: Yes/No.
- If any other, please specify.....
- E. Case/FIR registered by the police: Yes/No. If yes, specify Case No./ FIR No.....
- F. Whether the child has been a victim of cyber-bullying: Yes/No. If yes:
 - (i) Cyber bullied while using internet system at home
 - (ii) Cyber bullied while using internet system in school
 - (iii) Cyber- bullied while attending school classes from home
- G. Has the child been counselled: Yes/No, if yes, provide details.....
- H. Any other remark/observations.....
- I. Previous institutional/case history and individual care plan, if any.....

28. In case the child is victim of child marriage or is married:

- A. Name of the spouse.....
- B. Age of the spouse.....
- C. Date of marriage (DD/MM/YY).....
- D. Place of marriage.....
- E. Reasons for conducting marriage of the child.....
- F. People who were involved in getting the marriage of the child conducted- i. Parents ii. Relatives iii. Others.
- G. If others, please specify.....
- H. Whether any case has been registered by police: Yes/No.
- If yes, provide details.....
- I. If any action taken, details thereof.....
- J. Any other remarks/observation.....

29. Whether the child needs to be repatriated: Yes/No. If yes: (tick as applicable)

- (i) Inter- district repatriation
- (ii) Inter- state repatriation
- (iii) Inter- country repatriation

OBSERVATIONS OF INQUIRY

- 30. Emotional factors.....
- 31. Physical condition.....
- 32. Social and economic factors.....
- 33. Suggestive causes of the problems.....
- 34. Analysis of the case, including reasons/contributing factors for the offence...
- 35. Reasons for child's need for care and protection.....
- 36. Opinion of experts consulted.....
- 37. Mental Health Expert assessment.....
- 38. Risk analysis for the child to be restored to the surviving parent/relatives/guardian.....
- 39. Previous institutional/case history and individual care plan, if any.....
- 40. Recommendation of District Child Protection Unit/Case Worker/Social Worker regarding psychological support, rehabilitation and reintegration of the child and suggested plan.....

Signature
(of the person assigned)

*****"

64. In the principal rules, in Form 27, in serial number (1), after item (iii), the following item shall be inserted, namely:-

“(iii a) Darpan ID No.”.

65. In the principal rules, in Form 39, in the heading, the words “INCLUDING GROUP FOSTER CARE” shall be omitted.

66. In the principal rules, for Form 46, the following Form shall be substituted namely:-

“FORM 46

[Rule 21(10), 41(3) and 41(9)]

INSPECTION OF CHILD CARE INSTITUTIONS

(Fill as applicable)

Date and time of visit:

Name of the officials inspecting the Home :

1.
2.
3.

Name and address of Institution:

Type of Facility: _____ (Children Home/Observation Home/Special Home/Place of Safety/Open Shelter/Specialised Adoption Agency/Fit Facility)

If aided/supported: by State Government, Name of Department:.....

If run by Government:.....

Name of Person-in-charge:

Contact No.

E-mail ID:

Indicator	Status (Yes or No)	Remarks (In case of No Compliance or Partial Compliance)	Acts/Rules
LEGAL STATUS			
Registration of the Parent Organization under the Societies Registration Act 1860/The Indian Trusts Act 1882/The Companies Act 2013			Section 41/Rule 21: Registration of the Child Care Institutions
Registration No. of the Parent Organization under the Societies Registration Act 1860/The Indian Trusts Act 1882/The Companies Act 2013			
Registration of the Parent Organization under the Juvenile Justice(Care & Protection) Act 2015			
Registration No. of the Parent Organization under the Juvenile Justice(Care & Protection) Act 2015			
Foreign Contribution (Regulation) Act 2010, Registration (if any)			

FUNCTIONING			
Sanctioned capacity (in numbers)			
Total number of Children placed in the Institution			Rule 18 and 19: Production before a Committee and Inquiry
Number of Children living in the Home without the order of the Child Welfare Committee/ Juvenile Justice Board			
Are there children in the age group of 0-5 years staying there? (Specify number)			
Are there children above 18 years staying there? (Specify number)			
No. of new admissions in the current month (Specify number)			
No. of children who have moved out/released (Specify number)			
No. of children referred by Child Welfare Committee/ Juvenile Justice Board during the month. (Specify number)			
No. of children produced before Child Welfare Committee/ Juvenile Justice Board during the month. (Specify number)			
No. of children as on last day of the previous month. (Specify number)			
No. of children with special needs, if yes, give details. (Specify number)			
Total number of children present in the Institution are less than its capacity or as per its capacity			Section 41: Registration of Child Care Institutions
Number of children residing for more than 04 months			Observation Home/Special Home/Place of Safety
Management Committee			Rule 39: Management Committee
Average Number of meetings conducted in a year (Specify number)			
Children's Committees constituted			Rule 40:

Average Number of meetings conducted in a year (<i>Specify number</i>)			Children's Committees
Adoption Committee constituted			Section 65: Specialised Adoption Agency
Average Number of meetings conducted in a year (<i>Specify number</i>)			
Open Shelter/Shelter Home has any other activity apart from psycho-social rehabilitation of children for a short period of time			Open Shelter
Information regarding the children is uploaded on a portal, as specified by the Central Government.			
PHYSICAL INFRASTRUCTURE			
Building (Rented or owned)			Rule 29: Physical Infrastructure
Sign board displayed indicating name, type of Child Care Institution, contact details			
Education (Class room)			
Dormitories			
Kitchen			
Counseling			
Recreation with television			
Sick room			
Library			
Visitors' room			
Vocational training			
Dining hall			
Store			
Record room			
Office room			
Staff Residence			
Bathrooms			
Toilets			
Computer with internet			
Boundary wall/fencing			
Separate living area for children below 10 years			
INSTITUTIONAL FACILITY			
Records stored safely			
Essential Details including- Emergency Numbers			

Duty Chart			Rule 26: Management and Monitoring of Child Care Institutions
Menu Chart			
Attendance Status			
Weekly Programme Schedule			
Safe transport facility for children attaining education outside the campus			
Separate facilities for children from staff and management			
Facilities and support (equipment, staff, teaching and learning materials/aids) for children with special needs			
Visual needs			
Intellectual needs			
Hearing needs			
Rooms and dormitories being free of unstable heavy equipment, furniture, or other items that children could pull down on themselves			
Good condition of ceilings walls, floor coverings, draperies, curtains, blinds, furniture, fixtures, and equipment			
Clear guidelines regarding access of staff/visitors in identified areas especially in children's dormitories/toilets			
Walls and compound painted with attractive paints/cartoons/pictures etc.			Specialised Adoption Agency
A cradle has been placed near the outside gate or not			
Infants, toddlers and older children are segregated or not			
Restrictions on entry in the infants and toddler areas			
Freedom of movement of mobile infants and toddlers in a safe area			
Privacy maintained in toilets and bathing areas or not			Rule 67: Security Measures
Basic emergency medical care equipment available or not			
Special emergency medical care equipment available or not			
Child friendly bathrooms / bathing areas (1:10) available exclusively for children or not. (Specify number)			Rule 31: Sanitation and Hygiene
Child friendly toilets (1:7) available exclusively for children or not (Specify number)			

Safe and purified drinking water storage is available or not			
Safe and purified drinking water is provided to all children or not			
Proper drainage and garbage disposal facilities available or not			
STAFF			
One Person- in-Charge			Rule 26: Management and Monitoring of Child Care Institutions
Two Counselor			
Three Child Welfare Officer/ probation officer/Case workers			
Four House Mother/ House Father			
One Medical Officer (Physician)			
One Para medical staff			
One Store keeper cum accountant			
One (part time) Art and Craft cum music teacher			
One (part time) PT instructor cum Yoga Trainer			
One Driver			
Two Cook			
Two Helper			
Two House Keeping			
Security Guard			
Any Other			
Whether personal files of each staff are available including- Records of Recruitment			
Reference Check			
Work Profile			
Performance Appraisal			
Female Superintendent / Manager /In-Charge available for girls’ unit			
TRAINING OF STAFF			
Training organised for the staff viz: Social Workers			Rule 89: Training of Personnel Dealing with Children
Child Welfare Officers			
Case Workers			
rehabilitation cum placement Officers			
care givers			
House Fathers and House Mothers			

Security personnel and other staff			
The staff of the Child Care Institution has been given refresher trainings or not			
Rehabilitation-cum-Placement Officer			Rule 65: Rehabilitation-cum-Placement Officer
Superintendent/Manager/ In-charge stay on the campus			Rule 61: Duties of the Officer-in-charge of a Child Care Institution
CHILD CARE FACILITIES			
Enough/safe toys are available and accessible to children or not			Rule 38: Recreational Facilities
Enough suitably equipped outdoor space for play is available and accessible to children or not			
Availability of Baby Care Unit with special emergency medical care equipment (MCE) or not			
Availability of safe toys for infants and toddlers to stimulate their healthy development or not			
Individual beds are available and provided to children or not			Rule 29: Physical Infrastructure
Children segregated according to age group for stay and activities or not			
Children segregated according to gender for stay and activities or not			
Activities are conducted under staff supervision to minimize the risk of injury to children or respond as promptly as possible or not			Rule 34/35: Medical Care and Mental Health
Active supervision of children in emotional distress (due to fear, trauma, or illness) or not			
PREVENTION AND PROTECTION FROM ABUSE			
Standard operating procedure for child protection			Rule 76: Abuse and Exploitation of the child
Standard operating procedure is adhered to by staff and Management			
Functional and accessible complaint and grievance redressal mechanism including for abuse prevention is in place, such as- Suggestion Box			
Child helpline			
CCTV Cameras			

Children Committees			
Regular Staff-Children Interface			
Training and Orientation of children			
Any complaint found in the Suggestion or Complaint Book			
DAILY ROUTINE			
Daily routine of activity is followed			Rule 32: Daily Routine
Daily routine is drawn up in consultation with the children’s committee or as per the need			
Daily routine is on public display at prominent places in the institution			
NUTRITION			
Staff is aware of the nutritional requirement of children at varying stages of development			Rule 33: Nutrition and Diet Scale
Meals are planned in consultation with children			
Meals are provided in accordance with prescribed norms/diet scale			
Birthdays of children are celebrated			
Special meal is provided during festivals/occasions			
Special diet is provided to sick/special health children, as per advice of Doctor			
Home receives sponsored cooked/uncooked food items, lunch, dinner etc. from donors			
Cooked food if sponsored is tasted/checked by care giver before serving			
Ayah/caretakers are supervised by other staff while babies are fed			
CLOTHING, BEDDING HYGIENE			
All children are provided individual, clean, seasonal and age appropriate clothes, articles and toiletries as per norms			Rule 30: Clothing, Bedding, Toiletries and other articles
All children are provided individual, clean, seasonally appropriate mats and sleeping materials as per norms			
Sleeping material is cleaned /sanitized regularly or before reuse as needed			Rule 31: Sanitation and Hygiene
Rooms are regularly fumigated, disinfected and material provided to each child for prevention of infection and disease			

Each child has been allocated a secured space to store personal belongings			
Old articles like clothes, bed sheets, mats, bedding, etc. if donated, are cleaned/ disinfected before use			
Whether following facilities available in Home for children: Fans			
Coolers			
Air Conditioner			
Heaters for Winter			
HEALTH CARE			
Every child undergoes a health check-up on admission			Rule 34/35: Medical Care/ Mental Health
Every child has regular health checkups			
Every child has health card and the records/files are maintained and updated			
Nurse/paramedical staff is available in the home at night			
Medicines are administered to the child by a staff/ nurse			
Staff is trained to provide First Aid			
Mandatory Immunization is done of children up to 6 years of age			
EDUCATION			
Educational assessment is conducted and need of every child addressed			Rule 36/69: Education/ Institutional Management of Children
All children are provided with age appropriate formal education			
Enough emphasis on stimulating infants to learn through a play way learning process			
Age appropriate, feasible and market oriented vocational training is provided			Rule 37: Vocational Training
Children are consulted in selecting vocational training being provided to them			
Age appropriate life skill education is provided			
RECREATION			
Indoor recreation facilities are available for children			Rule 38: Recreational Facilities
Outdoor recreation facilities are available for children			

Staff engage with children in such recreation activities			
Any innovative activities to develop cooperation/ participation, resilience, etc. are harnessed			
ADMISSION AND REPORTING			
All children admitted to the Home are produced before the Child Welfare Committee within the prescribed time limit			Section 31/ Rule 18: Production before Committee
All children in the Home are housed in compliance with the Child Welfare Committee orders			
All children admitted to the Home are produced before the Juvenile Justice Board within the prescribed limit			Section 10/Rule 9: Production before a Board
All children in the Observation Home Special Home/Place of Safety are housed in compliance with the Juvenile Justice Board Orders			
Every child is restored through the Child Welfare Committee or the Juvenile Justice Board			
The case history of each child is submitted before the Child Welfare Committee within the stipulated time period as directed			Rule19 / 69: Inquiry/ Institutional Management of Children
The Home has made efforts to trace the biological family/guardian of the child			
Home submits any report of its own efforts to trace biological families to the Child Welfare Committee			
INDIVIDUAL CASE RECORD			
Individual Care Plan is prepared for every Child			
If yes, Individual Care Plan is prepared for every child is being implemented			
A professional Social Worker or experienced personal has prepared the Individual Care Plan (ICP) for every child			
ICP has been prepared for children in the Home within 30 days of admission of the child			
MAINTENANCE OF RECORDS			
Home maintains a master admission register			Rule 77: Maintenance of Registers
Home updates the master admission register in Track Child			
Home updates the master admission register in centralised database and portal			

relating to children and prospective adoptive parents for the purpose of adoption			
Number of children present tallies with the attendance register as on date			
Monthly data about children is sent to State Adoption Resource Agency/ District Child Protection Unit as the case may be			Rule 22: Open Shelter
Documentary proof of restoration-parent/guardian letter with identity proof regarding the same is available			
Whether details of legally free children for adoption is maintained by the institution			
The Child Care Institution maintains all the relevant information of the child i.e. --			
Individual case file with individual care plan			
Case History			
Inquiry report			
Child Welfare Committee Orders			
Medical Examination Report (MER)			
Child Study Report (CSR)			
Home Study Report (HSR)			
Birth Certificate			
Court order			
Quarterly Progress Report			
Health report			
Report of counselor or social worker, social history/case history of each child is available in the personal file			Rule 77: Maintenance of Registers
Initial reports of interaction with the child are on record			
REGISTERS			
Master Admission and discharge register			
Supervision register			
Case file of each child			
Medical File and Medical Report			
Attendance register of children and staff			
Order Book			
Inquiry report file			
Children's suggestion book/file			

Voucher, Cash Book, Ledger, Journal and Annual Accounts			
Grant utilization register			
Stock register			
Record of minutes of meetings of-- Management Committee			
Complaints Committee			
Staff-Children interaction			
Staff-Meetings			
Nutrition/diet register			
Budget statement register			
Visitors' book			
Staff movement register			
Personal belonging register			
Children's movement register			
IF A SPECIALISED ADOPTION AGENCY			
There is a professional social worker/ experienced personnel available in the agency for preparing Child Study Report			
Formal Child Study Report of each child is prepared after the child is declared free for adoption by the Child Welfare Committee			
There is a professional social worker/experienced personnel available in the agency for preparing Home Study Report			
Medical Examination Report of each child is prepared after the child is declared free for adoption by the Child Welfare Committee by a pediatrician			
There was pendency of completion of Home Study Report			
There was pendency of completion of Child Study Report			
There was pendency of completion of Medical Examination Report			
All the reports are uploaded on centralised database and portal relating to children and prospective adoptive parents for the purpose of adoption			
ADOPTION RELATED			
The agency expeditiously uploads Child Study Report, Medical Examination Report, as soon as children become legally free for adoption			

The decision for referral and matching of each child is taken by the Adoption Committee			Specialised Adoption Agency
The agency prepares every adoptable child psychologically for his or her assimilation with the adoptive family and the new surroundings			
The agency has developed leaflets/pamphlets/literature/ any other publicity materials depicting the process of adoption			
Adoption register is maintained and complete adoption file of each child placed in adoption is available			
Regular follow-ups of children placed in adoption			
The agency receives/maintains post placement progress reports in respect of children placed in in-country adoption and inter-country adoption			
All post-adoption records are kept in a manner, which prevents accessibility of larger public			
The agency kept all the information and documents as well as belongings of the child in safe custody			
There has been a plan how to preserve the information and how to disseminate in case the child comes for searching the root			
There has been any disruption occurred in case of children placed in in-country adoption			
There has been any disruption occurred in case of children placed in inter-country adoption			
The agency completes the Home Study Report of all Prospective Adoptive Parents registered, expeditiously and within stipulated time frame			
The agency places a child in pre-adoption Foster Care on completion of assigning and referral processes and after observing necessary formalities as laid down in the Guidelines			
The agency receives Adoption fees as per the Norms			
The agency obtains appropriate information from birth parent(s) before surrender of the child			
The agency gets the surrender deed executed only in the presence of the Child Welfare Committee			

The agency explains the implications of surrendering their child to the parents including the possibility of adoption of the child by foreigners and of no further contact with him or her			
The agency informs the parent(s) that from the date of surrender they would get a reconsideration period of sixty days during which period they can take back the child			
The agency maintains the confidentiality of the unwed mother and the biological parents			
The agency restores the child to the biological parents after the reconsideration period is over, if claimed by the parents			
The agency provides counselling to Prospective Adoptive Parents and children as and when required by them			
The agency provides counselling to Prospective Adoptive Parents before the Home Study Report is prepared			
The agency advices/encourages Prospective Adoptive Parents to contact Adoptive Parents Associations, adoptive families and older adoptees to understand the entire process of adoption			
The agency counsels the adoptive parents, not to change the name of an older child so as to help the child keep his or her identity			
FINANCIAL TRANSPARENCY			
Details of information about the sources of funding and that of the organisation as whole or separately available			
Sources of Funding- Govt. aid/grant			
National Donors			
International Donors (FCRA)			
Corporate Donors			
Own sources			
Others			
Details of project wise Bank Account(s) maintained by it with A/c No, purpose, amount received including FCRA Account available			Accounts and Audit
The Home submits a copy of audited accounts of organization with its audit report and Annual Report within six months from date of closing of financial year, to State Government			

The accounts are audited annually by an authorized Chartered Accountant			Specialised Adoption Agency
The Home has provided copies of Audited Statement of Accounts and Foreign Contribution (Regulation) Act 2010, Returns for last 2 years to the competent authority			
Grants are released as per norm and time taken for			
The agency has provided information about the details of child wise adoption charges received during last two years for in-country and inter-country separately			
The agency receives adoption charges over and above the prescribed norms			
The agency maintains financial records including receiving and utilization of adoption fee			
The Home submits a copy of audited accounts of organization with its audit report and Annual Report within six months from date of closing of financial year, to State Government			
The Adoption Agency utilizes funds available in the form of Adoption fee in accordance with the specified norms			
The accounts are audited annually by an authorized Chartered Accountant			
INSPECTIONS			
The Home has been inspected by the Inspection Committee			Rule 41: Inspection
Feedback was provided on the inspection by the Inspection Committee			
The feedback report is positive			
The Home has been inspected by the Child Welfare Committee			Section 30: Functions and Responsibilities of Committee
Feedback was provided on the inspection by the Child Welfare Committee			
The feedback report is positive			
The Home has been inspected by the Juvenile Justice Committee of the High Court			Inspections conducted by JJ Committee and Department of WCD
Feedback was provided on the inspection by the Juvenile Justice Committee of the High Court			
The feedback report is positive			
The Home has been inspected by the appropriate authority of Department of Women and Child Development			

Feedback was provided on the inspection by appropriate authority of Department of Women and Child Development			Rule 91: Monitoring by National/State Commission for Protection of Child Rights
The feedback report is positive			
The Home has been inspected by the National Commissions for Protection of Child rights			
Feedback was provided on the inspection by the National Commissions for Protection of Child rights			
The feedback report is positive			
The Home has been inspected by the State Commissions for Protection of Child rights			
Feedback was provided on the inspection by State Commissions for Protection of Child rights			
The feedback report is positive			
Previously, Social audit has been conducted of the Home and the report has been positive			
The Home has a copy of the inspection recommendations and record of action thereof			Rule 41: Inspection
Any improvement has taken place based on the Inspection Reports			
PROGRAMMATIC LINKAGES			
Medical care and Mental health services for children			Rule 34: Medical Care
Education			Rule 36: Education
Vocational training			Rule 37: Vocational Training
Life Skills, Art and Dance and Drama therapy and Occupational therapy and other issue-based workshops			Rule 38: Recreational Facilities
Recreational activities including sports			
Hobby classes			
Health including speech/physiotherapy			Rule 35: Mental Health
Legal aid services			Rule 39: Management Committee
De-addiction services			Rule 27: Fit Facility
With appropriate authorities for birth registration, identity proof and reserved/ special category certificate			

The Home has established linkages with other Child Care Institution for rehabilitation of children with special needs			
Restoration and Rehabilitation of children and their linkage established with- Child Welfare Committee			
Juvenile Justice Board			
Child Helpline			
District Child Protection Unit			
District Sponsorship & Foster Care Approval Committee			
Details of adoptable children have been uploaded on centralised database and portal relating to children and prospective adoptive parents for the purpose of adoption			Section 65: Specialized Adoption Agency
Specialised Adoption Agency is located in the same premises			
With appropriate authorities for birth registration, identity proof and reserved/special category certificate			
Any other Institution is also located in the same premises			

Violations

1. Violation of the Juvenile Justice (Care and Protection of Children) Act, 2015 and the Rules
2. (a) Violation of Protection of Children from Sexual Offences Act, 2012.
(b) If yes, whether Section 19 of the Protection of Children from Sexual Offences Act, 2012 was followed?
3. Any other Violation/Observation/Remarks: None.

Interaction with Children

During the Inspection, informal interaction with the children may be held with a group of children of appropriate age group in an open friendly environment to find out about their safety, security and protection from offence in the Institution. The interaction may focus on education, skilling, sports, co-curricular activities. The confidentiality of the children also needs to be ensured.

1. General Principles to Conduct the Interaction

The following General Principles has to be followed throughout the conduct of Interaction:-

- (i) Confidentiality
- (ii) Transparency
- (iii) Participation

Keep the questions simple and general. Show that you are genuinely interested in the child/children.

2. **Rapport Building and generic Conversation-** Begin the discussion with a general, open-ended question about the topic such as asking about the views about the Home that the children are staying in. The inspecting team/officials can ask the children about the positives and negatives of the Home.
3. **Discussing general issues-** The inspecting team/officials should ask general questions to the children to gain their trust and confidence. The general questions can be focussed on issues with the administration and staff, issues faced by children while staying in the Home, how helpful are the staff of the Home, measures for reporting a complaint and information about child protection policy in the Home.

4. OBSERVATIONS on the interaction-

5. If any case of child abuse is observed/suspected, then it should be immediately reported as per provisions of Section 19 of the POCSO Act.

Observations/ Remarks:

Name of inspection Committee member:

Signature:

Name of inspection Committee member:

Signature:

Name of inspection Committee member:

Signature: Name of inspection Committee member:

Signature:”

67. In the principal rules, after Form 46, the following Form shall be inserted, namely:—

“FORM 46A

[Rule 21(3) and Rule 21(15)]

INSPECTION FORMAT FOR REGISTRATION AND RENEWAL OF A CHILD CARE INSTITUTION

State:

District:

Name of Institution:

Educational facility:

Type of Facility: _____ (Children Home/Observation Home/Special Home/Place of Safety/Open Shelter/Specialised Adoption Agency/Fit Facility)

Name and address of the Institution:

Acts/Rules	Indicator	Status (Yes or No)	Remarks (In case of No Compliance or Partial Compliance)
I. LEGAL STATUS			
Registration of the Child Care Institutions	Registration of the Parent Organization under the Societies Registration Act 1860/The Indian Trusts Act 1882/The Companies Act 2013		
	Registration No. of the Parent Organization under the Societies Registration Act 1860/The Indian Trusts Act 1882/The Companies Act 2013		
	Foreign Contribution (Regulation) Act 2010, Registration (if any)		
II. PHYSICAL INFRASTRUCTURE			
	Sign board displayed indicating name, type of CCI, contact details		

Rule 29: Physical Infrastructure	Boundary wall/fencing		
	Classroom		
	Dormitories		
	Kitchen		
	Counseling		
	Recreation		
	Sick room		
	Library		
	Visitors' room		
	Vocational training		
	Dining hall		
	Store		
	Record room		
	Office room		
	Staff Residence		
	Bathrooms		
	Toilets		
	Good condition of ceilings walls, floor coverings, draperies, curtains, blinds, furniture, fixtures, and equipment		
Rule 31: Sanitation and Hygiene	Child friendly bathrooms / bathing areas (1:10) available exclusively for children		
	Child friendly toilets (1:7) available exclusively for children		
	Safe and purified drinking water storage is available		
	Safe and purified drinking water is provided to all children		
	Proper drainage and garbage disposal facilities available		
	Clear guidelines regarding access of staff/visitors in identified areas especially in children's dormitories/toilets		
III. MANAGEMENT/ STAFFING PATTERN			
Rule 26: Management and Monitoring of Child Care Institutions	1 Person in Charge		
	2 Counselor		
	3 Child Welfare Officer/ probation officer/Case workers		
	4 House Mother/ House Father		
	1 Medical Officer (Physician)		
	1 Para medical staff		
	1 Store keeper cum accountant		

	1 (part time) Art and Craft cum music teacher		
	1 (part time) PT instructor cum Yoga Trainer		
	1 Driver		
	2 Cook		
	2 Helper		
	2 House Keeping		
	Security Guard		
	Any Other		
	Female Superintendent / Manager /In-Charge available for girls' unit		
Rule 89: Training of Personnel Dealing with Children	Training organized for the staff on - Child Rights Protection		
	Care Giving		
	Rehabilitation		
	Juvenile Justice (Care and Protection of Children) Act, 2015		
	Mission Vatsalya		
Rule 76: Abuse and Exploitation of the child	Training and Orientation of care givers		
	Training and Orientation of children		
Rule 65: Rehabilitation-cum-Placement Officer	Rehabilitation-cum-Placement Officer		
Rule 61: Duties of the Person-in-charge of a Child Care Institution	Superintendent/Manager/ In-charge stay on the campus		
IV. FUNCTIONALITY			
Rule 29: Physical Infrastructure	Computer with internet accessibility		
	Records stored safely		
	Essential Details including- Emergency Numbers		
	Duty Chart		
	Menu Chart		
	Attendance Status		
	Weekly Programme Schedule		
	Safe transport facility for children attaining education outside the campus		
	Separate facilities for children from staff and management		
	Facilities and support (equipment, staff, teaching and learning materials/aids) for children with special needs		

	visual needs		
	Intellectual needs		
	hearing needs		
	others		
	Rooms and dormitories is free of unstable heavy equipment, furniture, or other items that children could pull down on themselves		
Rule 67: Security Measures	Privacy maintained in toilets and bathing areas		
	Basic emergency medical care equipment available		
	Special emergency medical care equipment available		
V. PREVENTION AND PROTECTION FROM ABUSE			
Rule 76: Abuse and Exploitation of the child	Standard operating procedure for child protection		
	Functional and accessible complaint and grievance redressal mechanism including for abuse prevention is in place, such as-		
	Suggestion-Box		
	Child Helpline		
	CCTV Cameras		
	Children Committees		
	Regular Staff-Children Interface		
VI. DAILY ROUTINE AND FACILITIES			
Rule 32: Daily Routine	Daily routine is drawn up in consultation with the children's committee and/or with children's participation or as per the need		
	Daily routine is on public display at prominent places in the institution		
Rule 38: Recreational Facilities	Enough/safe toys are available and accessible to children		
	Enough suitably equipped outdoor space for play is available and accessible to children		
VII. NUTRITION AND RECREATION			
Rule 33: Nutrition and Diet Scale	Staff is aware of the nutritional requirement of children at varying stages of development		
Rule 38: Recreational Facilities	Indoor recreation facilities are available for children		
	Outdoor recreation facilities are available for children		
	Any innovative activities to develop cooperation/ participation, resilience, etc. are harnessed		

VIII. CLOTHING, BEDDING HYGIENE			
Rule 30: Clothing, Bedding, Toiletries and other articles	clean, seasonal and age appropriate clothes, articles and toiletries as per norms are available		
	clean, seasonally appropriate mats and sleeping materials as per norms are available		
Rule 31: Sanitation and Hygiene	Sleeping material is cleaned /sanitized regularly or before reuse as needed		
	Rooms are regularly fumigated, disinfected and material provided to each child for prevention of infection and disease		
	secured space to store personal belongings is available for each child		
	Whether following facilities available in Home for children:		
	Fans		
	Coolers		
	Air Conditioner		
	Heaters for Winter		
IX. HEALTH CARE			
Rule 34/35: Medical Care/ Mental Health	Nurse/paramedical staff is available in the Home at night		
	Staff is trained to provide First Aid		
X. EDUCATION			
Rule 36/69: Education	To provide age appropriate education option is available		
Rule 37: Vocational Training	Option for age appropriate, feasible and market oriented is available		
XI. RECORD MAINTENANCE			
Rule 77: Maintenance of Registers	Master Admission and discharge register		
	Supervision register		
	Medical File and Medical Report		
	Attendance register of children and staff		
	Order Book		
	Inquiry report file		
	Children's suggestion book/file		
	Voucher, Cash Book, Ledger, Journal and Annual Accounts		
	Grant utilization register		
	Stock register		
	Nutrition/diet register		

	Budget statement register		
	Visitors' book		
	Staff movement register		
	Personal belonging register		
	Children's movement register		
XII. FINANCIAL TRANSPARENCY			
	Details of information about the sources of funding and that of the organisation as whole/ separately available		
	Sources of Funding- Government		
	National Donors		
	International Donors under the Foreign Contribution (Regulation) Act 2010		
	Corporate Donors		
	Own sources		
	Others		
Rule 53: Accounts and audit of the Authority	Details of project wise Bank Account(s) maintained by it with A/c No, purpose, amount received including FCRA Account available		

I. RECOMMENDATION BY DISTRICT MAGISTRATE FOR REGISTRATION -

1. Details of violations or discrepancies or not as per norms observed:-
2. The district already has _____No. of Child Care Institutions (viz., _____Children Home, _____Observation Home, _____Shelter Home, _____Special Home, _____Special Adoption Agency) and _____Juvenile Justice Boards, _____Child Welfare Committees, _____District Inspection Committees and **has /does not have** (*tick as applicable*) a requirement for additional Child Care Institution.
3. In view of the above, the said Child Care Institution is recommended for consideration for registration/renewal of registration.

OR

In view of the above, the said Child Care Institution is not recommended for consideration for registration / renewal of registration. (*whichever is applicable*)

Sign and Stamp

(Name)

District Magistrate

District _____

State _____

Date _____

68. In the principal rules, after Form 46, the following Forms shall be inserted, namely: –

“Form 47

[Rule 21A(5), (8) and (9)]

INSPECTION FORM FOR GROUP FOSTER CARE

(Fill as applicable)

Date and time of visit:

Name and designation of the officials inspecting the Home :

1.

2.

3.

Name and address of Group Foster Care:

Name of Foster Parents:

Contact No.

E-mail ID:

Indicator	Status (Yes or No)	Remarks (In case of No Compliance or Partial Compliance)	
LEGAL STATUS			
Previous registration of the facility as a Group Foster Care			Rule 21A: Registration of the Child Care Institutions
Duration of previous registration			
Whether the registration of Group Foster Care was cancelled at any time		If yes, specify reason	
Mandatory police verification of each of the individuals has been done or not			
STATUS OF CHILDREN			
Sanction capacity (in numbers)			
Total number of Children placed in Institution			
Number of biological children			
Number of children placed under foster care by the Child Welfare Committee			
Number of children placed under foster care without the orders of the Child Welfare Committee			
Number of siblings placed in the foster care			
Are there children in the age group of 0-5 years staying there? (Specify number)			
No. of new placements in the current month			
No. of children who have moved out in the current month, including:			

No. of children restored to family			
No. of children moved in CCI			
No. of children given in adoption			
Number of children with special needs placed in the foster care			
PHYSICAL INFRASTRUCTURE			
Building (Rented or owned)			Rule 29: Physical Infrastructure
Number of rooms are sufficient for sanctioned capacity of children			
Kitchen, available or not			
Recreation with television			
Number of Bathrooms are sufficient for sanctioned capacity of children			
Individual beds are available and provided to children			
Children segregated according to age group for stay			
Children segregated according to gender for stay			
INFRASTRUCTURAL FACILITY			Rule 26: Management and Monitoring of Child Care Institutions
Whether rooms are free of unstable heavy equipment, furniture, or other items that could harm children, or not			
Whether good condition of ceilings walls, floor coverings, draperies, curtains, blinds, furniture, fixtures, and equipment			
Privacy maintained in toilets and bathing areas or not			Rule 67: Security Measures
Basic emergency medical care equipment available or not			
Special emergency medical care equipment available or not			
CHILD CARE FACILITIES			
Enough/safe toys are available and accessible to children or not			Rule 38: Recreational Facilities
Enough suitably equipped outdoor space for play is available and accessible to children or not			
PREVENTION AND PROTECTION FROM ABUSE			
Whether Standard operating procedure for child protection is in place or not			Rule 23: Foster Care
Whether restricting/restraining children’s movements by binding, tying or any other form, is practiced or not			

Whether food, rest or toilet is withheld or not			
Whether any previous cases of child abuse, neglect, cruelty etc. reported against the foster family or not (<i>Give Details</i>)			
NUTRITION			
Whether Foster Family is aware of the nutritional requirement of children at varying stages of development or not			Rule 33: Nutrition and Diet Scale
Whether meals are planned in consultation with children or not			
CLOTHING, BEDDING HYGIENE			
Whether all children are provided individual, clean, seasonal and age appropriate clothes, articles and toiletries as per norms or not			Rule 30: Clothing, Bedding, Toiletries and other articles
Whether sleeping material is cleaned /sanitised regularly or before reuse as needed or not			Rule 31: Sanitation and Hygiene
Rooms are regularly cleaned			
Whether each child has been allocated a secured space to store personal belongings or not			
HEALTH CARE			
Whether Foster Family is trained to provide First Aid or not			
Whether Foster Family is aware of basic medicines which would be required to be administered to children in case of sickness, emergencies or not			
EDUCATION			
Whether all children are provided with age appropriate formal education or not			
Whether all children are admitted in school or not			
Whether all children are attending and going to school regularly or not			
Whether Foster Family is able to help the children with their education like homework, projects, presentations or not			
RECREATION			
Whether indoor recreation facilities are available for children or not			Rule 38: Recreational Facilities
Whether outdoor recreation facilities are available for children or not			

MAINTENANCE OF RECORDS			
Group Foster Care maintains all the relevant information of the child i.e. --			
Individual case file			
Social Investigation Report			
Individual Care Plan			
Case History			
CWC Orders			
Child Study Report (CSR)			
Home Study Report (HSR)			
Birth Certificate			
Quarterly Progress Report			
Health report			
FINANCIAL COMPLIANCES			
Details of information about the sources of income of Foster Family is available			
Foster Family has sufficient income to provide for sanctioned capacity of foster children			
Other sources of funding (Government/Private)			
IT returns record of each of the individuals for the last three years			
INSPECTIONS			
The Home has been inspected by the Inspection Committee			Rule 44: Inspection
Feedback was provided on the inspection by the Inspection Committee			
The feedback report is positive			
The Home is being inspected by the Child Welfare Committee every month			
The Home has been inspected by the National Commissions for Protection of Child rights/State Commissions for Protection of Child Rights			Section 109/Rule 91: Monitoring by National/State Commission for Protection of Child Rights
Feedback was provided on the inspection by the National Commissions for Protection of Child rights/ State Commissions for Protection of Child rights			
The feedback report is positive			
Any improvement has taken place based on the Inspection Reports			

I. Violations

(a) Violation of Protection of Children from Sexual Offences Act, 2012.

If yes, whether Section 19 of the Protection of Children from Sexual Offences Act, 2012 was followed:

(b) Any Other Violation/Observation/Remarks:

II. RECOMMENDATION BY DISTRICT MAGISTRATE FOR REGISTRATION

4. In view of the above, it is recommended that the said Group Foster Care is fit for providing registration/renewal of registration and if not the case – not fit to provide registration/ renewal of registration.

Sign and Stamp

(Name)

District Magistrate

District _____

State _____

Date _____

FORM 48

[Rule 21(A)(7)]

CERTIFICATE OF REGISTRATION OF GROUP FOSTER CARE

After perusal of the documents and on the basis of an inspection of the facility conducted on (date)..... the facility is recognized as a Group Foster Care under the Juvenile Justice (Care and Protection of Children) Act, 2015 and Juvenile Justice (Care and Protection of Children) Model Rules, 2016 with effect from..... for a period ofyears.

The Group Foster Care shall remain bound to follow the Juvenile Justice (Care and Protection of Children) Act, 2015, the Juvenile Justice (Care and Protection of Children) Rules, 2016 and regulations framed by the appropriate Government from time to time.

Dated this.....day of20

(Signature)

(Seal)

Name and Designation.....

FORM 49

[RULE 15(4A)]

AFFIDAVIT BY THE PERSON APPLYING FOR CHAIRPERSON OR MEMBER OF THE COMMITTEE

I applying for the position of Chairperson/Member of Child Welfare Committee, hereby certify that I am not barred by any of the conditions laid down in Section 27(4A) of the Act, i.e.,

(i) I do not have any past record of violation of human rights or child rights,

(ii) I have not been convicted of an offence involving moral turpitude, and such conviction has not been reversed or has not been granted full pardon in respect of such offence,

(iii) I have not been removed or dismissed from service of the Government of India or State Government or an undertaking or corporation owned or controlled by the Government of India or State Government,

(iv) I have never indulged in child abuse or employment of child labour or immoral act or any other violation of human rights or immoral acts, or

(v) I am not part of management of a child care institution in a District.;

2. If found otherwise by the State Government, I shall be liable for punitive action.

(Signature of the person)

Name and other particulars

FORM 50*[RULE 21A (2)]***DECLARATION BY THE FOSTER FAMILY/PERSONS APPLYING FOR GROUP FOSTER CARE**

I/we applying for the Group Foster care hereby certify that:

- (i) I/we do not have any previous conviction record.
- (ii) I/we are not involved in any immoral act or in any act of child abuse or employment of child labour.
- (iii) I/we have not been black listed by the Central or State Government.

2. If found otherwise by the State Government, I shall be liable for punitive action and immediate disqualification.

(Signature of persons/foster family)

Name and other particulars”

[F. No. CW-II-11/1/2016-CW-II-Part (1)]

TRIPTI GURHA, Jt. Secy.

Note : The principal notification was published in the Gazette of India vide notification number GSR 898(E), dated 21st September, 2016.