

**THE JUVENILE JUSTICE (ASSAM)
RULES, 1989***

Notification No. TAD/SW/352/87/9, dated 27th January 1989.

In exercise of the powers conferred by S. 62 of the Juvenile Justice Act, 1986 the Governor of Assam is pleased to make the following rules, namely:

1. Short title and commencement.

- (1) These rules may be called the Juvenile Justice (Assam) Rules, 1989.
- (2) They shall come into force on the date of their publication in the official Gazette.

2. Definitions.

In these rules unless the context otherwise requires –

- (a) ‘Act’ means the Juvenile Justice Act, 1986.
- (b) ‘State Government’ means the state Government of Assam.

- (c) 'Chief Inspector' or 'Inspector' means an officer of the state Government appointed to discharge the functions of the Chief Inspector or Inspector under these rules.
- (d) 'Form' means a form annexed to these rules.
- (e) 'Institution' means a Juvenile Home, a Special Home, an Observation Home or an After-Care Organisation or any institution certified or recognized as such under the Act.
- (f) 'Section' means a section of the Act.
- (g) 'Superintendent' means a person appointed for the control and management of a Juvenile Home, a special Home, an Observation Home or After-Care Organisation or any institution certified or recognized as such under the Act, and includes authorities, known as Principals of these institutions.

3. Place of sittings etc., of the competent authority.

The sittings of the competent authority may be held on the premises of an Observation Home or at other places as may be fixed by the State government. The competent authority shall hold its sittings on such days and at such time as may be fixed by the competent authority from time to time.

4. Qualifications etc., of Honorary Social Workers.

A person appointed as an honorary social worker on the panel under sub-S. (3) of S. 5 shall be –

- (a) a respectable educated citizen with the background of special knowledge of child psychology, sociology, social work education or home science; or
- (b) a teacher, a doctor, a retired public servant or a professional who is involved in work concerning juveniles; or
- (c) a social worker who has been directly engaged in child welfare.

5. Procedure to be followed by a competent authority in holding inquiries.

- (1) In all cases under the Act the proceedings shall be conducted in as simple a manner as possible with due regard for discipline and decorum.
- (2) The competent authority shall see that the juvenile brought before it is not kept under the close guard of a police officer except to the extent it is considered necessary by the competent authority for maintaining discipline.

- (3) In examining a juvenile and recording his statement the competent authority shall be free to address the juvenile in any manner that may be seen suitable in order to put the juvenile at ease and to elicit the true facts not only in respect of the offence of which the juvenile is accused but also in respect of the home surroundings and the influence to which the juvenile has been subjected. The record of the examination shall be in such form as the competent authority may consider, suitable having regard to the contents of the statement and circumstances in which it was made.
- (4) In every case concerning a juvenile, the competent authority shall obtain a birth certificate or medical opinion regarding his age and his physical and mental conditions and when passing orders in such case shall, after taking into consideration the medical opinion and such other evidence as may be available, record a finding in respect of his age.
- (5) On production of a juvenile under sub- S. (3) of S.13 or on receipt of a report under sub-S. (1) of S. 14 or on a complaint being received under S.17, the Board may order in Form 1 a Probation officer or call upon a social worker to inquire into the character and social antecedents of the juvenile with a view to assessing the best possible mode for placement with family or an institution.

- (6) When a juvenile is placed under the care of a parent or a guardian and the competent authority deems it expedient to place the juvenile under the supervision of a Probation Officer it shall issue a supervision order in Form II.
- (7) When a juvenile has been ordered to pay a fine under CL. (e) of sub-S. (1) of S. 21 by a juvenile court and is ordered by it to be placed under the supervision of a Probation Officer, the juvenile court shall issue the supervision order as nearly as in Form III.
- (8) Whenever the competent authority orders a juvenile to be detained in an institution it shall forward to the Superintendent of such institution a copy of its judgment or as the case may be, orders together with the order of detention in Form IV and any particulars of the home and parents or guardian and previous record.
- (9) The Superintendent of an institution certified as Juvenile Home under sub-S. (2) of S. 9 or as Special Home under sub-S. (2) of S. 10 or recognized as Observation Home under sub-S. (2) of S.11 shall be informed in advance by the competent authority before any juvenile is committed to it.

(10) The Superintendent of the said institution may, on receipt of the information, intimate in writing objections, if any, to the committal of the juvenile and the objections, shall be taken into consideration by the competent authority before the juvenile is committed to the said institution.

6. Placement under the care of parent, guardian or fit person.

(1) The competent authority making an order placing a juvenile under the care of a parent, guardian or fit person, as the case may be, under sub-S. (1) of S. 16 of CL. (b) of sub-S. (1) of S.21 may direct such parent, guardian or fit person to enter into bond in Form V with or without sureties and in such sum of money as the competent authority may think fit to keep the juvenile under proper care and control and to be responsible for his good behaviour.

(2) Where a juvenile has been placed under the supervision of a Probation officer, the competent authority shall impose a condition that all necessary assistance shall be rendered by the parent, guardian, or fit person as the case may be, to the Probation Officer to enable him to carry out the duties of supervision.

- (3) The parent, guardian or fit person under whose care a juvenile has been placed under sub-S. (1) of S. 16 or under CL. (b) of sub-S. (1) of S. 21 by a competent authority shall –
- (a) make arrangements for proper care and nurture;
 - (b) arrange for the proper medical care of the juvenile whenever necessary;
 - (c) ensure that the juvenile is not willfully neglected in a manner likely, to cause the juvenile unnecessary mental or physical suffering;
 - (d) protect the juvenile against moral danger or exploitation;
 - (e) be responsible for the good behaviour and conduct of the juvenile;
 - (f) prevent the juvenile from being associated with undesirable persons; and
 - (g) protect the juvenile from all types of social vices and ensure the general welfare of the juvenile;

7. Contribution of parent or other persons.

- (1) The competent authority making an order under sub-S. (1) of S. 51 may direct the parent or other person liable to maintain the juvenile to pay to the competent authority in advance in the beginning of each month such sum of money as the competent authority may think fit as contribution towards the maintenance of such juvenile.
- (2) All such recoveries shall be credited by the competent authority into Government Treasury as Miscellaneous Receipts of the State Government.

8. Procedure of sending a juvenile outside jurisdiction of the competent authority.

- (1) In the case of a juvenile whose ordinary place of residence lies outside the jurisdiction of the competent authority and if the competent authority deems it necessary to take action under S.34, it shall direct a Probation Officer to make enquiries as to the fitness and willingness of the relative or other person to receive the juvenile at his ordinary place of residence and whether such relative or other fit person can exercise proper care and control over the juvenile.

- (2) On being satisfied on the report of the Probation Officer, the competent authority may send the neglected or delinquent juvenile, as nearly as in Form VI to the said relative or fit person on the execution of a bond by the said relative or fit person in Form VII.
- (3) A copy of the orders passed by the competent authority under S. 34 shall be sent to –
 - (a) the Probation Officer, who was directed to submit a report under sub – R. (1);
 - (b) the Probation Officer, if any having jurisdiction over the place where the juvenile is to be sent;
 - (c) the competent authority having jurisdiction over the place where the juvenile is to be sent; and
 - (d) the relative or the person who is to receive the juvenile.
- (4) Any breach of the bond given under sub-R. (2) shall render the juvenile liable to be brought before the competent authority who may make an order directing the juvenile to be sent to an institution.
- (5) During the pendency of the orders under sub-R. (3) the juvenile shall be sent by the competent authority to an Observation Home.

- (6) In the case of a juvenile, where the competent authority deems it expedient to send the juvenile back to his ordinary place of residence under S. 34, the competent authority shall inform the relative or the fit person who is to receive the juvenile accordingly and shall invite the said relative or fit person to come to the Observation Home to take charge of the juvenile on such date as may be specified by the competent authority.
- (7) The competent authority inviting the said relative or fit person under sub-R. (6) may also direct, if necessary, the payment to be made to him by the Superintendent of the Observation Home of the actual expenses of the relative or fit person's journey both ways by the lowest class and of the juvenile's journey from the Observation Home to his ordinary Place of residence at the time of sending the juvenile.
- (8) If the relative or the fit person fails to come to take charge of the juvenile on the specified date, the juvenile shall be taken to his ordinary place of residence by the escort of the Observation Home. In the case of a girl the escort of the Observation Home shall be a female.

9. Escorting of a girl from one place to another.

When a girl who is a neglected or delinquent juvenile has to be transferred from one place to another outside the jurisdiction of a competent authority or from one institution to another institution, or for treatment to a hospital, mental asylum, de-addiction centre etc., the following conditions shall be observed, namely:

- (a) she is escorted by a female;
- (b) she is properly dressed;
- (c) she is made to travel only during the day-time unless she is taken by rail;
- (d) in case she is required to travel by road on a long journey which cannot be completed during the day-time arrangements are made for her stay during the night in an institution and in the absence of any institution then to any other safe place nearby;
- (e) in case she is taken to a hospital necessary facilities exist for the treatment of female patients; and
- (f) before taking her from one place to another it is ascertained that she would be properly received at the other end.

10. Mode of dealing with juveniles suffering from dangerous diseases or mental complaints.

- (1) When a juvenile detained in an institution under the provisions of the Act or placed under the care of a fit person is found to be suffering from a disease requiring prolonged medical treatment or physical or mental complaint that will respond to treatment or is found addicted to a narcotic drug or psychotropic substance, the juvenile may be removed by an order of the authority empowered in this behalf to an approved place set up for such purpose for the remainder of the term for which he has to be kept in custody under the order of the competent authority or for such period as may be certified by a medical officer to be necessary for the proper treatment of the juvenile.
- (2) Where it appears to the authority ordering the removal of the juvenile under sub- R. (1) that the juvenile is cured of the disease or physical or mental complaint, he may, if the juvenile is still liable to be kept in custody order the person having charge of the juvenile to send him to the institution or fit person from which or from whom he was removed or if the juvenile is no longer liable to be kept in custody, order him to be discharged.
- (3) Where action has been taken under sub-R. (1) in the case of a juvenile suffering from an infectious or

contagious disease, the authority empowered under the sub-R. 91), before restoring the said juvenile to his spouse or to the guardian, as the case may be, to satisfy it that such partner or guardian will not reinfect the juvenile.

11. Articles found on search and inspection.

- (1) The Superintendent shall see that every juvenile received in the institution is searched that he is cleaned, that his personal effects are inspected and that any money or valuables found with or on the person of the juvenile is kept in the safe custody of the Superintendent. Girls shall be searched by a female member of the staff and with due regard to decency.
- (2) In every institution, a Register of money, valuables and other articles found with or on the person of a juvenile received therein shall be maintained.
- (3) On a juvenile being received in the institution the money, valuables and other articles found with him or on his person on search and inspection and taken possession of shall be entered in such register, and the entries relating to him be read over to him in the presence of a witness whose signature shall be obtained in token of the correctness of such entries. All such entries shall be countersigned by the Superintendent.

- (4) Entries shall be made in such Register and attested by the Superintendent showing in respect of every such search and inspection-
- (a) what articles, if any are respectively destroyed, sold and stored;
 - (b) in the case of articles sold, the amount realized for them;
 - (c) the return to him of any money, valuables or articles at the time of release or otherwise.

12. Disposal of property.

- (1) The property other than money or valuables belonging to a juvenile received or detained in an institution shall be disposed of in the following manner, namely:
- (a) if it consists of obscene pictures or literature, tobacco, snuff, opium, drug or liquor, or perishable articles of trivial value, it shall be destroyed;
 - (b) if it consists of perishable articles of more than trivial value, it shall be sold by auction as soon as possible and the proceeds kept in safe custody by the Superintendent;

- (c) the clothing, bedding or other articles of such juvenile shall be destroyed, if the Superintendent considers it essential on hygienic grounds or considers to be worthless, or the clothing and bedding and other articles of juveniles found to be suffering from any infectious or contagious disease shall be burnt;

 - (c) clothing, bedding and other articles not covered by the provisions of CLs. (a), (b) and (c) shall after being washed and disinfected, if necessary, be made up into a bundle or bundles and suitably stored. The Superintendent shall be responsible for their safe custody.
- (2) No staff of the institution shall, whether directly or indirectly, bid at the auction of or purchase any property auctioned under these rules.
- (3) On the competent authority making an order other than directing the juvenile to be sent to an institution in respect of any juvenile, his money and valuables and such of his articles as are not destroyed or disposed of together with the proceeds of such of his articles as have been sold shall at the time of his release be handed over to him in the presence of the Superintendent shall take the signature or thumb impression of the parent or guardian of the juvenile or

of both in the column provided for the purpose in the register maintained, in token of his having received such money, valuable articles and proceeds. If the clothings have been destroyed he shall be provided with fresh clothing.

- (4) On an order made by the competent authority in respect of any juvenile, directing the juvenile to be sent to an institution, the Superintendent shall deposit such Juvenile's money together with the sale proceeds in the manner laid down from time to time in the name of the juvenile and the account book shall be kept with the Superintendent. His valuables, clothing, bedding and other articles, if any, shall be kept in safe custody.
- (5) When such juvenile is transferred from one institution to another, all his property, valuables and account books in the custody of the Superintendent shall be sent along with him to the Superintendent of the institution to which he has been transferred together with a full and correct statement of the description and estimated value thereof.
- (6) At the time of the release of such juvenile, the property or valuables kept in safe custody and the money deposited in his name shall be handed over to him or to his parent or guardian, as the case may be, and an entry made in that behalf in the Register. Such entry shall be signed by the Superintendent.

- (7) When an inmate of an institution dies therein, the property left by the deceased and the money deposited in his name shall be handed over by the Superintendent to any person who establishes his claim thereto and executed an indemnity bond. A receipt shall be obtained from such person for having received such property and the amount. If no claimant appears within a period of one year from the date of death of such inmate, the property and amount shall be handed over to the police for disposal in accordance with the provisions of Ss. 25, 26 and 2d7 of the Police Act, 1861.
- (8) When a juvenile kept in an institution escapes therefrom or fails to return thereto after the expiry of the period of absence permitted to him, the property left by him and the amount deposited in his name shall be kept in safe custody by the Superintendent of such institution for a period of one year from the date of escape of such juvenile or the date on which such juvenile should have returned thereto as the case may be. If within the said period such juvenile is not arrested and sent back or does not return to the institution, such property and amount shall be handed over to the police for disposal in accordance with the provisions of Ss. 25, 26 and 27 of the Police Act, 1861.

13. Institutional management.

- (1) The State Government as far as possible, may set up separate Observation Homes for neglected and delinquent juveniles. Separate homes may be established for juveniles below and above the age of 12 years as far as possible. Boys above 12 years may be lodged separately as far as possible.
- (2) Each institution shall have a Reception Unit with a Case Worker for the admission of new arrivals. Newly admitted juveniles may in suitable cases be kept in the Reception Unit up to ten days initially. Where necessary, the Superintendent may suitably extend this period to facilitate a detailed study of the juvenile. The juveniles suspected to be suffering from contagious diseases, mental ailments, addiction, etc., shall be promptly segregated in specially earmarked dormitories or wards.
- (3) The following procedure shall be followed in respect of the newly admitted juveniles, namely:
 - (a) receiving and search in the receiving unit;
 - (b) hair- cut (unless prohibited by religion) issue of soap and disinfectant lotion;

- (c) disinfection and storing of juvenile's personal clothing and other personal effects;
 - (d) bath;
 - (e) issue of disinfected clothes, bedding and other outfit and equipment (as per rules and scales);
 - (f) housing;
 - (g) medical examination and treatment where necessary;
 - (h) attending to immediate and urgent needs of the juveniles like letters, interviews, family matters, personal problems etc.;
 - (i) verification by the officer in- charge on order of the competent authority identification marks, register entries, cash property, etc.;
 - (j) taking photograph of each juvenile.
- (4) Each institution shall follow a schedule or orientation talk for the newly-admitted juveniles, covering the following aspects, namely:
- (a) health, sanitation, hygiene;

- (b) institutional discipline and standards of behaviour, respect for elders, teachers, etc;
 - (c) self – improvement opportunities; and
 - (d) responsibilities and obligations.
- (5) An overall study of the juveniles admitted to all institutions shall be undertaken on the basis of their social history, behavioural pattern and attitudes towards others. Information regarding their socio-cultural and economic background shall be collected through all possible and available sources including home, parents or guardians, employer, school, friends and community contracts. The educational-level and vocational aptitude shall be assessed on the basis of tests and interviews conducted by the teacher, the Workshop Supervisor, and other technical staff. For this purpose, appropriate linkages shall also be established with outside specialists and community-based welfare agencies as far as practicable.
- (6) All inmates in the Reception Unit may be given work like –
- (a) Self-help in maintaining their own establishment;
 - (b) cleaning of open spaces, gardening etc.;

(c) preliminary operations for crafts.

14. Daily routine.

(1) Each institution shall have a regulated daily routine for the inmates which should be displayed and should provide, among other aspects, for regulated disciplined life, physical exercise, educational classes, vocational training, organized recreation and games, moral education, group activities, prayer and community singing.

(2) For Sunday and holiday the daily routine may include—

(a) washing of clothing and bedding;

(b) library reading;

(c) recreational programmes, games and sports;

(d) scouting activities.

15. Diet scale.

Diet scale may be prepared by the State Government for the juveniles with due regard to nutrition.

Special diets may be provided on national days.

16. Issue of clothing, bedding and other articles.

Each juvenile shall be provided with clothing and bedding including customary under-garments, towels, jersey for winter, school uniform for juveniles attending outside schools, durry, bed sheets, blanket, pillow, chappal or shoes, etc., utensils as required; and toothpowder, soap, oil, comb, etc., as per the scale laid down by the State Government.

17. Sanitation and hygiene.

Following facilities for sanitation and hygiene may be provided in each institution:

- (a) sufficient and treated drinking water;
- (b) sufficient water for bathing and washing clothes, maintenance of cleanliness on the premises and for flushing latrines;
- (c) proper drainage system;
- (d) arrangements for disposal of garbage;
- (e) protection from mosquitoes;
- (f) sufficient number of latrines; sufficient number latrines;

Classroom	Sufficient accommodation
Workshop	Sufficient work space
Play ground	Sufficient play ground area should be provided in each institution according to the total number of juveniles in the institution.

- (b) The dormitories, class-rooms and workshops shall have sufficient cross ventilation and sufficient light.

19. Medical care.

- (1) Each institution shall make arrangements for medical services for its inmates. It shall ensure that –
- (a) regular facilities are available for the medical treatment of inmates;
 - (b) arrangements are made for the immunization coverage; and
 - (c) a system is evolved for the removal of serious cases to the nearest civil hospitals or treatment centres.

- (2) Suitable action in accordance with the provisions of S. 48 of the Act, shall be taken in respect of the juvenile who is/was suffering from leprosy, is/ was of unsound mind or is/was addicted to a d rug.
- (3) Each juvenile-admitted in an Observation Home shall be medically examined by the Medical Officer under or attached to the Observation Home as far as possible within seven days after his admission to his Observation Home and also in the case of a juvenile known to be awaiting removal to Juvenile Home or Special Home, within a similar period before such removal, and further at any other time or times that may be considered necessary by the Medical Officer or the Superintendent.
- (4) An inmate known or suspected to be suffering from an infectious disease shall be promptly removed to a Government hospital and if this is not practicable, he shall be isolated from other inmates. If any infectious disease breaks out in an institution a subsequently admitted juvenile shall, so far as practicable, be kept separate from those, who are known or suspected to be suffering from the infectious disease.
- (5) No surgical treatment shall be carried out on an inmate without the previous consent of his parent or guardian, unless either the parent or guardian cannot be found and the condition of the inmate is such that

any delay would, in the opinion of the Medical Officer, involve unnecessary suffering or injury to the health of the inmate.

- (6) A health chart on each juvenile in the institution shall be maintained on the basis of his quarterly medical check-up.

20. Institutional programmer.

- (1) Each institution may provide for physical exercise and recreational facilities. The recreational facilities may include the provision of library, music, games (indoor and outdoor), etc.
- (2) Each institution may organize activities and programmes for the socio-cultural uplift of the inmates, such as cultural meets, parents- inmates-staff meetings, community contacts, visits to outside institutions etc.
- (3) Case work services may be provided in all institutions to deal with the individual problems of inmate. The services of psychologist or psychiatrist may also be availed of preferably by establishing linkage with child guidance clinics, counseling and guidance centres, psychiatric departments or similar agencies in the community or by appointment on part time or full-time basis as per requirement as far as practicable.

- (4) The educational programme be developed as an integral part of the educational routine, emphasizing on the academic, health, social, moral and ethical aspects. The educational programme may be organized on the pattern recognized by the Education Department of the State Government concerned including non-formal adult education techniques. The inmates may be provided facilities of specialized education as far as practicable in the community on a selective basis. The educational programme may be organized under the supervision of trained staff.
- (5) A diversified programme of vocational training may be organized in all juvenile and special homes with special reference to employment opportunities available in the community so as to facilitate their rehabilitation. The courses may be designed on the lines approved by the concerned technical departments of the State Government. The services of trained vocational instructor may be utilized for the purpose. Vocational training facilities in the community may also be availed for inmates on a selective bases by providing linkages with welfare institutions, placement agencies and industrial and other production units, as far as practicable.

21. Classification Committee.

- (1) A juvenile may be classified on the bases of his age, physical, and mental health, length of commitment, degree of delinquency and his character. Besides, factors like sequence of the juvenile's delinquent behaviour, his social processing, type of delinquency, possibilities of functioning as a contamination risk, requirements of custody, his educational vocation training needs, his total background, possibilities of his social adjustment, his prospects after release and his rehabilitation needs may be taken into consideration.
- (2) For this purpose, in every Juvenile Home and Special Home, there shall be a Classification Committee, consisting of its Superintendent as Chairman and Deputy/Assistant Superintendent, Medical Officer and Head of Care Taking Staff as Members. If the State Government considers it necessary the State Government may include such other functionaries of the Home as its Members or exclude any of them by Notification in the official Gazette from time to time.
- (3) The Classification Committee may periodically meet to consider and review –
 - (a) custodial care, housing, place of work, area of activity and type of supervision required;

- (b) individual problems of juveniles, family welfare, family contacts and adjustment, economic problems, and institutional adjustment, etc.;
- (c) vocational training and opportunities for employment;
- (d) education, health education, social education, academic education, vocational education and moral education;
- (e) social adjustment, recreation, group work activities, guidance and counseling;
- (f) special instructions, collecting moral information and special precautions to be taken etc.;
- (g) review of progress and adjusting institutional programmes to the needs of the inmates;
- (h) planning post-release rehabilitation programme in collaboration with after-care service;
- (i) pre-release preparation;
- (j) release; and

- (k) any other matter which the Superintendent may like to bring up.
- (4) The procedure for classification and follow up of the decisions taken by the classification committee as laid down by the Chief Inspector, shall be followed in each institution. No proceeding of the committee shall be invalid by reason only of the vacancy or absence of any member of the committee in the proceeding.

22. Rewards and earnings.

- (1) Rewards to the inmates at such rates as may be fixed by the state Government from time to time may be granted by the superintendent as an encouragement to steady work and good behaviour.
- (2) At least half the amount earned by the juvenile shall be deposited from time to time in the name of the juvenile while being inmate of an institution and the account book shall be kept with the Superintendent. The rest may be permitted to be spent by the inmate as pocket money on purchase of articles such as sweets, toys etc.
- (3) At the time of premature release of an inmate from the institution his account book shall be transferred to the Probation Officer, whose duty is to supervise him. If the inmate is released on the expiry of the period of his

stay ordered by the competent authority, the money deposited in his name shall be withdrawn by the Superintendent and handover personally after obtaining a proper receipt to the parent or guardian who comes to take charge of the inmate and if he does not come, to the inmate.

23. Visits to and communication with inmates.

- (1) The parents and near relations of the inmates may be allowed to visit an inmate once a month or in special cases more frequently at Superintendent's discretion. The visiting hours shall be laid down by the Superintendent.
- (2) The receipt or writing of letters by the inmates of the institution shall not be restricted. However, the institution may facilitate that, where parents, guardians or relatives are known, at least one letter is written by the inmate every week, for which the postage may be provided by the institution.
- (3) The Superintendent may peruse any letter written by or to an inmate, and may, for any reason of inmate's health, morality or well-being that he considers sufficient, refuse to deliver or issue the letter and may destroy the same after recording his reasons in a book maintained for the purpose.

24. Prohibited articles.

- (1) No person shall, except with the written permission of the Superintendent or the Medical Officer of the institution, carry into the institution a prohibited article.
- (2) The following shall be the prohibited articles, namely:
 - (a) fire-arms;
 - (b) alcohol and spirit of every description;
 - (c) bhang, ganja, opium and other narcotic drugs or psychotropic substances; or
 - (d) any other article specified in this behalf by the State Government by general or special orders.

25. Emergencies.

- (1) superintendent shall take the following measures to prevent and control emergency situations, namely:
 - (a) adequate security measure and periodical inspection thereof;
 - (b) proper maintenance of buildings and premises;

- (c) proper custody of tools and equipment;
- (d) prompt, firm and considerate handling of all discipline problems;
- (e) attending to care and welfare requirements of children;
- (f) system of good discipline;
- (g) careful handling of plant and equipment;
- (h) accident preventing measures;
- (i) fire preventing measures;
- (j) fire fighting equipment at all vulnerable points;
- (k) good environmental and institutional sanitation and hygiene;
- (l) proper procedure of quarantine of newly admitted juveniles;
- (m) segregation of juveniles suffering from contagious diseases;
- (n) proper storage and inspection of articles of foodstuffs;

- (o) observance of the required minimum standards in kitchen operations, service of food and eatables;
 - (p) stand by arrangements for water storage, power plant, emergency lighting etc.; and
 - (q) periodical inspection of plant, equipment, emergency operation etc.
- (2) In the event of an escape, the following action shall be taken, namely:
- (a) the Superintendent shall immediately send the guards in search of the juvenile at places like Railway stations, bus stand, the juvenile's home and other places, where the juvenile is likely to go;
 - (b) the parents or guardians shall be informed immediately about such escape;
 - (c) a report shall be sent to the nearest Police Station along with detailed description of the juvenile, with identification marks and a photograph, with a copy to the authorities concerned with the placement of the juvenile in the institution; and

- (d) the Superintendent shall hold an enquiry about each escape and send his report to the court and the Chief Inspector.
- (3) On the occurrence of any case of death or suicide the procedure to be adopted is as under, namely:
- (a) if a juvenile dies within 24 hours from his admission to the institution, an inquest and post-mortem examination shall be held;
 - (b) whenever a sudden or violent death or death from suicide or accident takes place, immediate notice shall be sent to the Superintendent takes place, immediate notice shall be sent to the life be extinct be left in which it was found pending inspection by the officers concerned. In case a juvenile dies due to causes other than natural causes or if the cause of death is not known or if the death has occurred due to suicide of violence or accident or whenever there is any doubt or complaint or question concerning the cause of death of any juvenile, the Superintendent shall inform the officer- in charge of the police Station having jurisdiction. The Superintendent shall immediately give intimation to the nearest Magistrate empowered to hold inquests;

- (c) in case of death due to suicide, accident, violence and sudden death, etc., both inquest and post-mortem shall be held;
- (d) where the death has occurred due to violence or unnatural causes, the Superintendent shall at once send a brief report to the authorities concerned including the Chief Inspector/Inspector;
- (e) the Superintendent shall then make a detailed investigation of all the circumstances connected with the cause and forward the same without delay along with the inquest report to the authorities concerned;
- (f) the Medical Officer shall report to the Superintendent about the happening of the natural death of a juvenile and see that the body is decently removed to the mortuary;
- (g) in every case of illness which ends fatally, the medical Officer shall see the body of the juvenile and shall record full particulars of the cause of death in relevant registers;
- (h) in case of natural death of a juvenile of an Observation Home or Special Home, the Superintendent shall obtain a report of the Medical Officer stating the cause of death. A written intimation about the death shall be given

immediately to the nearest Police Station, the Chief Medical and Health Officer and the District Magistrate and the authorities under the Act;

- (i) upon the occurrence of any case of suicide, the Superintendent shall give immediate information thereof to the nearest Magistrate empowered to hold inquests in order that an inquest and postmortem may be held on the body. A full report on the whole circumstances connected with the case shall be promptly submitted by the superintendent to the authorities concerned after the inquest is over.

26. Leave of absence.

- (1) The inmate of an institution may be given leave of absence to go and stay with his family during school vacations, festivals, emergencies of special occasions like marriage in the family. While the leave of absence for short periods not exceeding 15 days in a year may be granted by the Superintendent long leave up to six weeks in a year may be sanctioned by the Chief Inspector. Granting of such leave shall be at the discretion of the sanctioning authority and it cannot be claimed as a right.

- (2) The parents or guardian of the juvenile shall submit an application to the Superintendent requesting for release of the juvenile on leave, stating clearly the purpose for the leave and the period of leave. If the Superintendent considers that granting of such leave is in the interest of the juvenile, he shall call for a detailed report of the Probation Officer on the advisability or otherwise of granting such leave and take decision himself or forward the case to the Chief Inspector, as the case may be. While issuing orders sanctioning the leave of absence, the sanctioning authority shall clearly mention the period of leave and the conditions attached to the leave order. If any of these conditions are not complied with during the leave period, the juvenile may be recalled to the institution.
- (3) The parent or guardian shall arrange to escort the juvenile from and to the institution and bear the travelling expenses. In exceptional cases or during an emergency the Superintendent may arrange to escort the juvenile to the place of the family and back.
- (4) If the juvenile runs away from his home during the leave period, the parent or guardians are required to inform the Superintendent of the institution immediately and try to trace the juvenile and if found, escort him to the institution. If the parent or guardian do not take proper care of the juvenile during the leave period or do not bring him back to the institution

within the stipulated period, such leave may be refused on later occasions. If the juvenile does not return to the institution on expiry of the sanctioned leave, the case shall be referred to the police for taking charge of the juvenile and bringing him back to the institution.

- (5) The period of such leave shall be deemed to be part of the period of his detention in the institution. The time, which elapses after the failure of an inmate to return to the institution within the stipulated period, shall be excluded in computing the period of his detention in the institution.

27. Transfer of juveniles.

- (1) The juvenile in an institution can be transferred to any other institution by the Chief Inspector. The proposal for transfer of juvenile shall be made by the Superintendent with proper justification. The transfer may be proposed only if it is in the interest of the juvenile with specific reasons, e.g., -
 - (a) the juvenile is to be given further education or special training which is not available in the institution;
 - (b) the juvenile is in need of change of environment or change of climate on health grounds for

taking treatment which is not available in the institution;

(c) the proposed transfer would bring the juvenile near his family and would help him in his rehabilitation; or

(d) any other reason for which the transfer would be in the interest of the welfare of the juvenile.

(2) No transfer ordinarily be proposed on the ground that the juvenile has created problems or is difficult to be managed in the existing institution.

(3) Transfer of juvenile from one State to any other State may be ordered by the competent authority after obtaining the concurrence of that State Government. Correspondence and orders in this behalf may be issued by the state Government.

(4) On receipt of transfer orders from the proper authority, the Superintendent shall arrange to escort the juvenile to the new institution. The juvenile shall be properly dressed and suitable arrangements for his food may be made till he reaches the new institution. The juvenile's case file containing the record of the juvenile shall be sent along with the juvenile. The parents or guardians shall be informed about the juvenile's transfer and reasons therefore.

28. Release on licence.

- (1) The licence granted under sub-S. (1) of S. 49 of the Act shall be in Form VIII.
- (2) After the order of release on licence in Form VIII is issued by the State Government, it shall be read out to the licensee and his signature obtained. The conditions on which he has been released on licence shall be explained to him in detail. The copies of the order of release on licence shall be sent to the parent or guardian and the Probation Officer who will supervise the juvenile during the licence period. On the release of any juvenile on licence information shall be sent by the Superintendent to the competent authority under whose orders the juvenile was kept in the institution.
- (3) When a licence has been revoked and the juvenile refuses or fails to report to the institution to which he was directed so to return, any police officer may on the advice of the authority revoking the licence, arrest the juvenile without warrant and arrange him to be sent to the institution.

29. Release.

- (1) The Superintendent shall maintain a roster of the cases to be released on the expiry of the period of stay as ordered by the competent authority. Each case shall be placed before the Classification Committee well in advance for review and advice with regard to his or her placement after release and submit the case in which the juveniles are kept for the maximum period action may be initiated six months before they attain the age of 18 years in case of boys and 20 years in case of girls.
- (2) Timely information of the release of an inmate and of the probable date of his release shall be given to his parent or guardian and the parent or the guardian shall be asked to come to the institution to take charge of the inmate on that date. If necessary, the actual expenses of the parents' or guardian's journey both ways and of the juvenile's journey from the institution may be paid to the parent or guardian by the Superintendent at the time of the release of the juvenile. If the parent or guardian, as the case may be, fails to come to take charge of the juvenile on the appointed date, the juvenile may be taken to his native place by the escort of the institution. Girls shall be escorted by a female escort.

- (3) At the time of release or discharge a juvenile may be provided with a set of Government clothing, if the Superintendent deems it necessary.
- (4) If the inmate has no parent or guardian, he may be sent to an after care organization or in the event of employment having been found for him to the person who has undertaken to employ him.
- (5) The Superintendent of a Girls institution, subject to the approval of the Chief inspector, may facilitate suitable girls above the age of 18 years getting married according to the procedure laid down by the Chief Inspector from time to time.
- (6) The Superintendent shall order the discharge of any juvenile the period of whose detention has expired and inform the Chief Inspector within 7 days of the action taken by him. If the date of release falls on a Sunday or any other public holiday, the juvenile may be released on the preceding day, entry to that effect being made in the register of discharge. The Superintendent may in appropriate cases, order the payment of subsistence at such rates as may be fixed from time to time and the railway or road or both the fare, as the case may be.
- (7) In deserving case, the Superintendent may provide the juvenile with such small tools, as may be necessary, to

start a vocation subject to such maximum cost as may be fixed.

- (9) The Superintendent may, subject to the approval of the Chief inspector allow at their own request, such girls as have no place to go to stay in the institution after the period of their detention has expired, till some other suitable arrangements are made.

30. Maintenance of case file.

The case file of each inmate shall be maintained in a Juvenile Home or Special Home, containing the following informations, namely:

- (a) commitment papers, court documents and other relevant papers;
- (b) probation Officer's report;
- (c) information from previous institution;
- (d) initial interview, material information from family members, relatives, friends and miscellaneous information;
- (e) sources of further information;
- (f) observation reports from staff members in charge of admission programmes;

- (g) reports from Medical Officer aptitude testing, educational tests;
- (h) social history;
- (i) summary and analysis by officer-in -charge of the reception unit;
- (j) initial classification sheet;
- (k) instruction regarding training and treatment programme and about special precautions to be taken;
- (l) leave and other privileges granted;
- (m) violation of rules, regulations, special achievements;
- (n) quarterly progress reports from various sections;
- (o) review sheet;
- (p) m.c. report (in case of girls);
- (q) pre-release programme;
- (r) final progress report;
- (s) release on licence;
- (t) final discharge;
- (u) follow-up reports;
- (v) central index number;
- (w) remarks;

- (x) passport size photo with negative.

31. Establishment and recognition of After care Homes.

- (1) The State Government may provide as far as practicable a comprehensive scheme of after care with the following objectives, namely:
 - (a) to extend help, guidance, counseling, support and protection to all released juveniles, whenever necessary;
 - (b) to help a released juvenile to overcome his mental, social, economic difficulties;
 - (c) to impress upon the juvenile the need to adjust his habits, attitude, approaches and value schemes on a rational appreciation of social responsibilities and obligations also of requirements of community living;
 - (d) to help the juvenile to make smooth adjustments to his post-release environment;
 - (e) to encourage the juvenile in making satisfactory readjustment with his family, neighbourhood and community;
 - (f) to assist the juvenile in functioning as a self-dependent and self reliant socially useful citizen;

- (g) to assist in the process of the juvenile's physical, mental, vocational, economic, social and attitudinal post-release readjustment and ultimate rehabilitation; and
 - (h) to complete in all respects the process of the juvenile's final readjustment, resettlement and rehabilitation.
- (2) The State Government may establish and maintain or assist as many after care organisations with After Care Home as may be necessary for the reception of the juvenile discharged from the Juvenile Homes and Special Homes for the purpose of helping them to lead an honest, industrious and useful life.
- (3) Where the State Government is of the opinion that any institution other than an institution established under sub-R. (2) is fit for the reception of the juvenile to be referred there from the Juvenile Homes and Special Homes, it may recognize such institution as an After Care Home of an after care organization for the purposes of the Act.
- (4) Every after care home to which a juvenile is referred under these rules may provide the juvenile with educational and vocational guidance which may help him in the development of his character and abilities to lead an honest, industrious and useful life.

- (5) Before a juvenile is discharged from a juvenile home or special home, as the case may be, and is referred to an after care home, the Probation Officer (or the Case Worker) shall prepare and submit through the superintendent of the Juvenile Home or special Home, as the case may be, a report to the Chief Inspector for decision regarding the necessity and nature of after care assistance required by the juvenile, the period of such after care and the supervision thereof. The Superintendent of the After Care Home to which the juvenile is referred shall submit periodically a detailed progress report on the Chief Inspector, during the period of such reference of the juvenile to it. The maximum period of any such reference shall be laid down by the instruction of the State Government.

- (6) The internal management, functions and responsibilities of the After Care Home and the standards and nature of services to be maintained by it shall be regulated by the instructions as issued from time to time by the State Government or Director or the Chief Inspector.

32. Recognition of fit person or fit institution.

- (1) Any individual who is willing temporarily to receive a juvenile in need of care, protection or treatment for so

long a period as may be necessary, may be recognized by the State Government as fit person. A suitable place or institution, the occupier or manager of which is willing temporarily to receive a juvenile in need of care, protection or treatment for so long a period as may be necessary may be recognized by the state Government as a fit institution.

- (2) Any association or body of individuals, incorporated under any law and established for or having for its object, the reception or protection of juvenile or the prevention of cruelty to juveniles and which undertakes to bring up or to give facilities for bringing up any juvenile entrusted to its care in conformity with the religion of his birth, may be included within the meaning of fit institution.
- (3) A list of names and the addresses of fit persons and fit institutions approved by the state Government shall be kept in the office of the Chief Inspector and shall be made available to the competent authority, wherever necessary.
- (4) After committal of a juvenile by the competent authority to an institution recognized as a fit person or fit institution with collateral branches of such institution after giving an intimation to the competent authority under whose orders the juvenile was committed and to the Chief Inspector.

33. Certification of institutions or recognition.

- (1) If the Superintendent of any institution desires that the institution may be certified or recognized under the Act, he shall make a written application together with a copy each of the rules, bye-laws, articles of association, list of members of the society/association running the institution to the Chief Inspector, who shall either inspect the institution himself or cause it to be inspected by any of his subordinate officers and shall make a report to the State Government regarding the provision, made in the institution for the boarding, lodging, general health of the inmates, the quality of the educational, vocational training and treatment services made available and sources of income, and may recommend certification or recognition with specific reference to the age group and sex.
- (2) The State Government may on receipt of the report of the Chief Inspector and after satisfying itself that the institution possesses sufficient financial means to carry out its obligation, certify or grant recognition to or certify the institution under any or all of the Ss.9, 10 and 11 of the Act, as the case may be, on condition that it shall undertake to –
 - (a) comply with the standards of services as laid down by the state Government from time to time and to ensure an all round growth and

development of juveniles placed under its charge;

(b) abide by these rules and any instructions issued by the Chief Inspector or the competent authority and see the same are followed by personnel of the institution;

(c) provide such staff as may be required by the Chief Inspector or the competent authority from time to time;

(d) furnish to the Chief Inspector, whenever required, a statement of its financial position including the balance sheet and audited report.

(3) The State Government may, on the report of the Chief Inspector or otherwise, if dissatisfied with the conditions, rules, management or superintendence of an institution certified or recognized under the Act, at any time, by notice served on the Superintendent of the institution declare that the certificate or recognition of the institution, as the case may be, shall stand withdrawn as from a date specified in the notice and thereafter the institution shall from the said date, cease to be an institution certified or recognized under S. 9, 10 or 11 of the Act, as the case may be.

(4) The state Government may, instead of withdrawing a certificate or recognition by notice served on the superintendent of the institution for such time as may

be specified in the notice or until the notice is revoked, whichever is earlier. Before the issue of a notice a reasonable opportunity shall be given to the Superintendent of the institution to show cause, why the certificate or recognition may not be withdrawn or admission may not be prohibited, as the case may be.

- (5) The decision to withdraw or restore the certificate or recognition of the institution may be taken by the state Government by taking into consideration the explanation of the Superintendent of the institution in reference to the show cause notice on him, the report of the Chief Inspector and an investigation report by a Committee, specially constituted by the State Government by including among its members, a representative of a voluntary institution or organization other than the one under consideration.
- (6) The Superintendent of an institution may, on giving six months; notice in writing to the authority concerned through the Chief Inspector of their intention to do so, resign the certificate or recognition of the institution and accordingly at the expiration of six months from the date of notice, unless, before that time, the notice is withdrawn, the resignation of the certificate of recognition shall take effect and the institution shall cease to be certified or recognized under the Act or these rules.

- (7) A juvenile shall not be received into an institution after the date of the receipt by the Superintendent of the institution of a notice of withdrawal of the certificate or recognition or after the date of notice of resignation of the certificate or recognition. The obligation of the Superintendent to teach, train, lodge, clothe and feed any juvenile detained in the institution at the respective dated aforesaid shall, except so far as the authority concerned otherwise directs, continue until the withdrawal or resignation of the certificate or recognition takes effect.
- (8) When an institution ceases to be an institution certified or recognized under S. 9, 10 or 11 of the Act, the juveniles detained therein shall under orders of the officer empowered in this behalf by the State Government be either –
- (a) discharged absolutely or on such condition as the officer may impose; or
 - (b) transferred to some other institution established, certified or recognized under S. 9, 10 or 11 of the Act in accordance with the provisions of the Act and rules relating to discharge and transfer. Intimation of such discharge or transfer shall be given to the concerned Juvenile Board/Court.

34. Grant-in aid to certified or recognized institutions.

An institution certified or recognized under S. 9, 10 or 11 of the Act may, during the period of certification or recognition is in force, may apply for grant-in-aid by the State Government for maintenance of juveniles received by them under the provisions of Act and for expenses incurred on their education, treatment, vocational training, development and rehabilitation. The grant-in-aid may be admissible at such rates, in such manner and subject to such conditions as may be determined by the State Government from time to time.

35 Admission of outsiders.

No stranger shall be admitted to the premises of the institution except with the permission of the Chief Inspector or the Superintendent.

36. Identity Photos.

On admission to an institution established under the Act, every juvenile shall be photographed and three copies of the photograph shall be obtained. One photograph shall be kept in the case file of the inmate, one shall be fixed with the index card and the third one shall be kept in an album serially. The negative shall be kept in another album.

37. Particulars of parents etc, of the inmate to be kept in his case file.

Names, addresses, occupations etc., of the parents, spouse and near relatives of a delinquent, admitted in an institution shall be kept in the case file of the delinquent, as and when these particulars become available to the Superintendent.

38. Arrest of juvenile how made under the Act and the rules.

In making an arrest of juvenile under the Act or the rules, the Police Officer or other person, making the same shall actually touch or confine the body of the juvenile to be arrested, unless there be a submission of the juvenile to the custody by word or action. If the juvenile forcibly resists the endeavor to arrest him or attempts to evade the arrest, such Police Officer or other person may use all such means as may be necessary to effect the arrest but in doing so, handcuffing or fettering the juvenile may be avoided as far as practicable. Further, female juvenile may be arrested by a female police or other female person as far as practicable.

39. Visitor's Book.

A visitor's Book shall be maintained in which the persons ..authorized to visit the institution shall record the dates of their visits with any remarks or suggestions, which they may think proper. The Superintendent shall forward a copy of every such entry to the Chief Inspector with such remarks as he may desire to offer in explanation or otherwise and there on, the Chief Inspector shall issue such orders as he may deem necessary.

40. Maintenance of registers.

The Superintendent shall maintain in his office such registers and forms as may be required by the Chief Inspector or the State Government from time to time.

41. Headquarters and field organization.

- (1) The State Government shall provide for the appointment of staff for the supervision, control and development of services under the Act, including Director/Deputy Director, Chief Inspector/ Inspectors and other staff as per requirement from time to time and assign their duties.
- (2) The State Government, by notification in the official Gazette, shall appoint the Director and Chief Inspector

for the whole State. The same person may be appointed both as Director and Chief Inspector. The State Government, by notification in the official Gazette, shall appoint one or more Deputy Directors to assist the Director and subject to the overall control and guidance of the Director, a Deputy Director shall perform such duties under the Act and the rules, as may be assigned to him by the State government or the Director. The State Government shall appoint Inspectors by notification in the official Gazette, for each of whom, territorial jurisdiction and headquarter shall be notified by the State Government in the official Gazette. The territorial jurisdiction and headquarters of an Inspector may be changed by the State Government as deemed fit.

- (3) There shall be a separate wing in the headquarter organization for the development of education, vocational training and rehabilitation services as well as for the placement of juveniles released from institutions. Such a wing may also have a unit for women with a specific function of securing for girls opportunities for their reintegration into the community through marriage, employment, vocational placement, etc.
- (4) One of the main objectives of the headquarter organization shall be the development of infrastructure in voluntary sector for providing services under the juvenile justice system.

- (5) The functions of the Director may include the following:
- (a) planning, directing, co-ordinating, controlling, supervising and guiding the activities in the field of juvenile justice.
 - (b) Advising Government on the formulation of progressive policies and implementation of juvenile justice services.
 - (c) Implementing Government policies regarding juvenile justice development.
 - (d) Preparing plan and non-plan schemes for the development of the juvenile justice programme;
 - (e) Formulating annual budgets and exercising financial control;
 - (f) Releasing grant-in-aid for juvenile justice activities;
 - (g) Inspection of juvenile justice programmes;
 - (h) Departmental audit of juvenile justice institutions and activities;
 - (i) Training of both Governmental and voluntary functionaries engaged in juvenile justice activities;

- (j) Preparation of annual reports and compilation of statistics; and
 - (k) Research and evaluation.
- (6) The duties of the Chief Inspector shall be determined in accordance with the provisions of the Act and the requirements of these rules and the instructions of the State Government. The Chief Inspector shall be responsible for the inspection of institutions set up or recognized under the Act. His inspection reports shall contain comments and suggestions on the following items pertaining to the working of the institutions, namely:
- (a) physical setting in terms of buildings, space requirements, living quarters for juveniles, class rooms, sick rooms, water supply and sanitary arrangements, playgrounds, quarters on the premises for essential staff, general cleanliness etc.;
 - (b) quality and quantity of food given to the juveniles;
 - (c) clothing and bedding;
 - (d) facilities for medical treatment including arrangements for immunization and preventive and curative services;

- (e) arrangements for education and vocational training;
 - (f) maintenance of case files of juveniles in institutions;
 - (g) arrangements made for recreation, games, physical training, library etc.;
 - (h) provision of staff of various categories;
 - (i) registers and accounts;
 - (j) difficulties and grievances of personnel;
 - (k) difficulties and grievances of juveniles; and
 - (l) review of the impact of the institutional programmes.
- (7) An Inspector shall perform the duties as prescribed under the rules and such other duties as assigned to him from time to time by the State Government or the Chief Inspector in pursuance of the Act and the rules.

42. Inspection of institutions.

- (1) The Chief Inspector shall, during his inspection or visit to an institution give audience to every juvenile, committed or remanded to its care.

- (2) Every such Inspector shall, at the conclusion of his inspection, note in the Inspection Book of the institution the fact that he has inspected it on a particular date.
- (3) Every Inspector shall submit to the Chief Inspector a detailed report of his inspection.
- (4) The Chief Inspector shall, either on his own inspection or on the inspection report of other inspecting staff, communicate to the Superintendent of the institution so inspected such suggestions or directions as he may deem fit and necessary.
- (5) Any institution or any place of safe custody in which a juvenile is kept shall be open to any visit or inspection by the District Magistrate, Sub-divisional Magistrate, the Chief Judicial Magistrate; member of a Juvenile Welfare Board, Magistrate of a Juvenile Court, Director, Deputy Director, Chief Inspector, Inspector and his inspecting staff, Secretary in charge of Juvenile Justice services under the State Government and any officer empowered by the State Government. The Superintendent of the institution, the manager or occupier of any place of safe custody, in which a juvenile is kept shall give every facility during such visit or inspection.
- (6) The Superintendent of any institution or the occupier or manager of such place of safe custody shall give every facility to the Probation Officer, who visits the

juvenile for the purpose of making inquiries into his case.

- (7) Any registered medical practitioner empowered in this behalf by the State Government may visit any institution, a fit person or fit institution at any time with or without notice in order to report to the Chief Inspector on the health of the inmates and the sanitary condition of the institution.
- (8) In addition to the inspecting staff appointed under the Act, every District Inspector of Schools of the State Government shall also be an ex-officio Inspector of the institutions set up or certified under this Act, within his local jurisdiction. He shall carry out purely educational inspection of the institutions whose educational curriculum is recognized to be in accordance with the curriculum approved by the Directorate of Education. He shall also carry out inspection of such institutions within his local jurisdiction as require recognition of the educational curriculum prescribed by the said Directorate. He shall comply with such directions as the Chief Inspector may consider it necessary to give him through the Director of Education and shall submit inspection reports of the institutions to the Chief inspector may consider it necessary to give him through the Director of Education and shall submit inspection reports of the institutions to the Chief Inspector through the Director of Education.

- (9) Such District Inspector of Schools shall inspect the premises of each such institution within his jurisdiction to see the juveniles and satisfy himself that all the registers pertaining to literary education are maintained according to the rules or instructions for the time being in force and that proper arrangements are made for the safe custody of all such records. Each year he shall personally arrange for the examination of the literacy classes of each such institution and shall submit to the director of Education any suggestions he may consider necessary. The Director of Education any suggestions he may consider necessary. The Director of Education shall forward such reports to the Chief Inspector with his remarks, if any.
- (10) The industrial, technical, agricultural or other vocational training classes run by the institutions shall be inspected by the Director of Employment and training or by an officer authorized by him in this behalf or by an officer of the Agriculture or other departments concerned as the case may be who shall forward the inspection report to the Chief Inspector.

43. Duties of the Superintendent.

- (1) The general duties, functions and responsibilities of the Superintendent shall be as follows namely:

- (a) providing homely atmosphere of love, affection, care and welfare of juveniles;
- (b) planning, implementing and co-ordinating all institutional activities, programmes and operations;
- (c) maintaining proper standards at the institution;
- (d) classification of juveniles, training and treatment programmes and correctional activities;
- (e) supervision over juveniles and discipline and morale;
- (f) allocation of duties to personnel;
- (g) attending to personnel welfare and staff discipline;
- (h) preparation of budget and control over financial matters;
- (i) supervision over office administration;
- (j) monthly office inspection;
- (k) daily inspection and round off institution;
- (l) inspecting and tasting food prepared for juveniles;

- (m) other such duties under the Act and the rules, as directed by the State Government or the Director or the Chief Inspector.

44. Duties of Probation officer.

- (1) On receipt of information from the officer-in-charge of Police Station under Cl. (b) of S. 19, the Probation Officer shall enquire into the antecedents and family history of the juvenile and such other material circumstances as may be necessary and submit a preliminary report in Form IX the competent authority as early as may be allowed by the competent authority,
- (2) Every Probation Officer shall carry out all directions given to him by a competent authority, the Chief Inspector, the District Magistrate, Sub-divisional Magistrate, the Director and the State Government and shall perform the following duties:
 - (a) make inquiries regarding the home and school conditions, conduct, character and health of juveniles under his supervision;
 - (b) attend regularly the court of a competent authority and submit reports;
 - (c) maintain diary, case files and such registers as may be prescribed from time to time;

- (d) visit regularly juveniles placed under his supervision and also places of employment or school attended by such juveniles, and submit regularly reports as nearly as in Form X;
- (e) take steps for the conveyance of the juveniles with the help of the police from the precincts of the juvenile Court/ Juvenile Board to a Juvenile Home, Special Home, fit person or fit institution or vice-versa and take steps with the help of the police to bring before the competent authority immediately, juveniles, who have not been of good behaviour during the period of supervision.

On the requisition from the Probation Officer for the above purposes, the police shall provide the conveyance and other necessary arrangements in the movement of the juveniles;

- (f) follow up of juveniles after their release from the institutions and extending help and guidance to them;
 - (g) establishing linkages with voluntary workers and organization to facilitate rehabilitation and social reintegration of juveniles and to ensure the necessary follow up.
- (3) A Probation Officer shall not employ a juvenile under his supervision for his own private purposes or take any private services from him.

45. Duties of case worker.

The general duties, functions and responsibilities of case worker (which may include functionaries doing these jobs) may be as follows:

- (a) making social study of the juvenile through personal interview and from the family, social agencies and other sources;
- (b) clarifying problems of the juvenile through personal interview and from the family, social agencies and other sources;
- (c) participating in the orientation, classification and reclassification programme;
- (d) establishing co-operation and understanding between the juvenile and the administration;
- (e) assisting the juvenile to develop contacts with his family and also providing assistance to his family members;
- (f) helping the juvenile to establish contacts, which can provide emotional and social support to juveniles after their release.

46. Duties of care-taker.

- (1) The general duties, functions and responsibilities of a care taker (which may include functionaries doing these jobs) may be as follows:
 - (a) handling juveniles with love and affection;
 - (b) taking proper care and welfare of juveniles;
 - (c) maintaining discipline in institution;
 - (d) maintaining sanitation and hygiene;
 - (e) implementing daily routine in an effective manner;
 - (f) looking after the security and safety arrangements of the institution; and
 - (g) escorting juveniles, whenever they go out of the institution.
- (2) A job chart for care takers will be worked out by the Chief Inspector, to be strictly adhered to in all institutions.
- (3) A care taker shall be liable for departmental action for—
 - (a) willingly or negligently permitting an inmate to escape;
 - (b) giving or attempting to give an inmate or taking out or attempting to take out from the

institution any article not allowed by the Superintendent; and

- (c) willful disobedience or neglect of any rules, regulations or orders.

47. Training of personnel.

The State Government may provide for training for personnel of each category of staff in keeping with their statutory responsibilities and specific job requirements. The training programme may include –

- (a) training of newly recruited staff;
- (b) refresher training courses for every staff member at least once in every five years;
- (c) staff conferences, seminars, workshops etc., at various levels of the personnel organization.

48. Advisory Board.

- (1) The State Government shall set up a State Level Advisory Board as required under S. 53 of the Act consisting of the following:

Chairman:

- (a) Minister or such authority of the State Government in charge of Juvenile Justice Service.

Members:

- (b) Secretary in-charge of Juvenile Justice Services under the State Government;
- (c) Secretary, Education Department, under the State Government;

Members:

- (d) Secretary, Home Department, under the State Government;
- (e) Secretary, Health and Family Welfare Department under the State Government;
- (f) Secretary, Judicial Department, under the State Government;
- (g) Secretary, Labour and Employment Department, under the State Government;
- (h) Secretary, Handloom, Textile and Sericulture Department under the State Government;
- (i) Secretary, Panchayat and Rural Development under the State Government;

- (j) Secretary, Industries Department, under the State Government;
- (k) Secretary, Finance Department under the State Government;
- (l) An industrialist;
- (m) A journalist;
- (n) A representative of the Bar;
- (o) Two social workers/representatives of voluntary organization.

Member-Secretary:

- (p) Director in charge of Juvenile Justice Services under the State Government.

The Chairman may invite experts or authorities to specific meeting of the Board in connection with discussion by the Board on specific topics.

- (2) The Advisory Board may advise to the State Government on the following matters, namely:
 - (a) development of Juvenile Justice Services through various official and community based welfare agencies;
 - (b) the ways and means of mobilizing human and material resources to ensure social justice to neglected or delinquent juveniles;

- (c) the development of facilities for educational, vocational training and rehabilitation of various categories of juveniles coming within the purview of the juvenile justice system.
 - (d) The co-ordination between various sectors of child development in dealing with the problems of juveniles processed through the law.
- (3) The non- official members of the Advisory Board shall be appointed by the State Government. A non-official member shall, unless he resigns his office or dies or otherwise vacates his office on an earlier date, hold office for a term of three years from the date of appointment and shall be eligible for re-appointment. The tenure of a non-official member may, without assigning any reason, be terminated by the State Government.
- (4) The Advisory Board shall meet at least once in a year at such places and at such dates as may be decided by the Chairman of it. The quorum for a meeting shall be six. This requirement shall be waived in case of a meeting called, following a meeting adjourned for want of quorum. In the absence of Chairman of the Board in any meeting, a member present and elected to the Chair for that meeting shall preside over the same.

49. Visitors.

The District magistrate shall be empowered to appoint three non-officials as visitors for each institution established, under the Act within his jurisdiction. Each visitor appointed under S. 54 shall visit the institution for which he or she is appointed at least once in three months and send 2 quarterly report to the Director, District Magistrate and the State Government containing his or her comments or suggestions in regard to the institutional management and the quality of institutional services, for such action as the District Magistrate may deem necessary.

50. Juvenile Justice Fund.

- (1) The State Government shall create a fund to be called the "Juvenile Justice Fund" (hereinafter in this rule referred to as fund) for the welfare and rehabilitation of the juveniles dealt with under the provisions of the Act.
- (2) The Fund may be applied-
 - (a) to implement programmes for the welfare and rehabilitation of juveniles;
 - (b) to pay grant-in-aid to non-official organisation;
and

- (c) to do all other things that are incidental and conductive to the above purpose.
- (3) For the management and administration of the fund, the State Government shall constitute a Board of Management consisting of the following members namely:

Chairman:

- (i) Minister or such authority of the State Government in-charge of Juvenile Justice Services.

Members:

- (ii) Secretary in-charge of the Department dealing with the Juvenile Justice Services under the State Government.
- (iii) Secretary, Finance Department under the State Government.
- (iv) Three non-official members to be appointed by the State Government Secretary-Treasurer:

- (v) Director of the Department dealing with the Juvenile Justice Services under the State Government.
- (4) A non-official member shall, unless he resigns his office or dies or otherwise vacates his office at an earlier date, hold office for a period not exceeding three years and shall be eligible for re-appointment. The tenure of non-official member may, without assigning any reason be terminated by the State Government.
- (5) The Board of Management shall meet at least once a year at such places and on such dates as may be decided by the Chairman. The quorum for a meeting shall be four. This requirement shall be waived in case of a meeting called, following a meeting adjourned for want of quorum. In the absence of the Chairman of the Board in any meeting, a member present and elected to the Chair for that meeting shall preside over the same.
- (6) The duty of the Secretary-Treasurer shall include the following:
 - (a) to be the custodian of all records of the Board of Management :
 - (b) to conduct the official correspondence on behalf of the Board of Management;

- (c) to issue all notices for convening the meetings of the Board of Management;
 - (d) to keep minutes of all meetings of the Board of Management;
 - (e) to manage the properties and funds of the Fund, to maintain accounts and execute all contracts on behalf of the Board of Management;
 - (f) to exercise all other powers and execute such other functions as may be assigned to him by the Board of Management from time to time.
- (7) The Board of Management may receive such voluntary donations, contributions or subscriptions as may be made by any individuals or organisations in furtherance of the object of the Fund.
- (8) The assets of the Fund shall include all such grants and contributions, recurring or non-recurring from the Central Government and the State Government or any other statutory or non-statutory bodies set up by the Central Government or State Governments as well as the voluntary donations from any individual or organisation.

- (9) Withdrawals from the fund shall be made by cheques signed by the Secretary-Treasurer for any authorised purpose.
- (10) Regular accounts shall be kept of all money and properties and all receipts to the fund and expenditures from the fund and shall be audited by a firm of Chartered Accountants, as appointed by the Board or Examiner of Local Accounts of the State Government or any other recognised authorities, as may be appointed by the Board. The Auditors shall also certify, whether the expenditure from the funds has been incurred for authorised purposes in accordance with the objects of the fund. Regular accounts of the money of the funds shall be kept by the Secretary-Treasurer. All contracts and other assurances shall be in the name of the Board of Management and signed on their behalf by the Secretary-Treasurer for authorised purpose. The Board of Management may direct a responsible officer of the Director (viz. Secretary-Treasurer of the fund), experienced in finance and accounts matters to assist the Secretary-Treasurer in the maintenance of accounts of the money of the fund.
- (11) The Board of Management may invest the proceeds of sale or other disposal of the property as well as any money or property not immediately required to be used for the objects of the fund in any one or more of the

modes of investment for the time being authorised by law for the investment of trust moneys as the Board of Management may think proper.

- (12) The Board of Management may delegate to any one or more members such of its powers, which in its opinion are merely ministerial or procedural.

51. Forms.

As far as possible the following forms shall be used for the purposes noted against each:

- (1) **Form XI:** Show cause notice under sub-S. (2) of S.14 of the Act.
- (2) **Form XII:** Search warrant under sub-S. (2) of S.14 of the Act,.
- (3) **Form XIII:** Order for the removal of a juvenile from the charge of his parent or guardian under sub-S. (2) of S.14 of the Act.
- (4) **Form XIV:** Form of report of the Probation Officer for the purpose of sub-S. (3) of S.16 or proviso to sub-S.(2) of S.21 of the Act.

- (5) **Form XV:** Form of information of arrest of a juvenile to his/her parent or guardian under Cl. (a) of S.19.

- (6) **Form XVI:** Form of information of arrest of a juvenile to the Probations Officer under Cl. (b) of S.19.

- (7) **Form XVII:** Order of the competent authority sending a child to a Juvenile Home or Special Home under sub-S.(3) of S.16 and proviso to sub-S.(2) of S.21.

FORM I

[See sub-R. (5) of R.5]

Order requiring to make enquiries

To

Probation Officer/Social Worker

Whereas- (1) a report/complaint under section.....of the Juvenile Justice Act, 1986 has been received from.....in respect of.....(Name of the Juvenile).son/daughter of.....residing at.....(Give full particulars such as house No., road, town/village, Post Office, Police Station, District, State etc.).

(2)Son/daughter ofresiding at.....
(Give full particulars such as house No, road, town/village, Post Office, Police Station, District, State etc.) has been produced before this Juvenile Welfare Board under the provisions of sub-S. (1) of S.15 of the Juvenile Justice Act, 1986;

You are hereby directed to enquire into the character and social antecedents of the said Juvenile and submit your report of social enquiries on or before.....or within

such further time as may be allowed to you by the Juvenile Welfare Board.

Dated this.....day of.....19.... (Signature)

Seal of the Board
Chairman, Juvenile Welfare Board

FORM II

[See sub-R. (6) of R.5]

Supervision order

When the juvenile is placed under the care of a parent, guardian or other fit person.

Case No.....of19.....

Whereas..... (name of the child) has this day been found to be neglected juvenile to have committed an offence under section.....and has been placed under the care of (name) Shri/Smti.(address).....(Give full particulars such as house No, road, town/village, post office, police station, district, State etc.) on executing a bond by the said.....and the court is satisfied that it is expedient to deal with the said juvenile by making an order placing him/her under supervision;

It is hereby ordered that the said juvenile be placed under the supervision of.....a Probation Officer for a period of...subject to the following conditions, namely:

1. that the juvenile along with copies of the order and the bond executed by the said....will be produced before the Probation Officer named therein.....

2. that the juvenile will be submitted to the supervision of the Probation Officer.....
3. that the juvenile will reside at.....(Give full particulars such as house No, road, town/village, post office, police station, district, State etc.) for a period of.....
4. that the juvenile will not be allowed to quit the district jurisdiction of.....without the written permission of the Probation Officer;
5. that the juvenile will not be allowed to associate with bad characters;
6. that the juvenile will live honestly and peaceably ;
7. that the person under whose care the juvenile is placed will arrange for the proper care, education and welfare of the juvenile;
8. that the preventive measures will be taken by the person under whose care the juvenile is placed to see that the child does not commit any offence punishable by any law in force in India;
9. that the juvenile will be prevented from taking narcotic drugs or psychotropic substances or any other intoxicants;

10. that the directions given by the Probation Officer from time to time, for the due observance of the conditions mentioned above, will be carried out.(Additional conditions, if any, may be inserted by the Juvenile Welfare Board/Juvenile court).

Dated this.....day of.....19.....

Seal of the
Board/Court

(Signature)
Chairman, Juvenile Welfare Board
Principal Magistrate, Juvenile Court

FORM III

[See sub-R. (7) of R.5]

When the child is ordered to pay fine under Cl.(e) of sub. S.(1) of S.21 of the Juvenile Justice Act, 1986.

Case No.....of19.....

Whereas.....(Name of the Juvenile)resident of.....(Give full address such as house No, road, village/town, Post Office, Police Station, district, State, etc.) has this day been found guilty of an offence under section.....and has been ordered to pay fine of Rs.....and the Juvenile Court is satisfied that it is expedient to deal with the said juvenile by making an order placing him/her under supervision;

It is hereby ordered that the said juvenile be placed under the supervision of.....a Probation Officer for a period of.....and shall observe the following conditions, namely:

1. that he will present himself within fourteen days from the date of this order, before the Probation Officer named herein, and will produce copy of the order ;
2. that he will submit himself to the supervision of the Probation Officer;
3. that he will during the period specified herein, keep the Probation Officer advised of his place of residence

and means of livelihood/place of work/peace of education and progress in education;

4. that he will not associate with bad characters to lead a dissolute life;
5. that he will live honestly and peaceably and will go to school regularly and endeavour to earn an honest livelihood;
6. that he will not commit any offence punishable by any law in force in India :
7. that he will abstain from taking intoxicants; and
8. that he will carry out such directions as may, from time to time, be given by the Probation Officer, for the due observance of the conditions mentioned above.

(Additional conditions, if any, may be inserted by the Juvenile Court if necessary).

Dated this.....day of19....

Seal of the Court.

(Signature)

Principal Magistrate, Juvenile Court.

FORM IV

[See sub-R. (8) of R.5]

**Order of detention under sub-S (2) of S.15 or under Cl. (d) of
sub-S.(1) of S.21 of the Act.**

To

The Superintendent

.....

Whereas on the.....day of.....19.....(Name of Juvenile) son/daughter of.....aged.....residing at.....being found in case No.....(give full address such as house No, road, town, village, Post-Office, Police Station, district, State etc.) *to be a neglected Juvenile/*to have committed an offence under section.....was ordered by the *Juvenile Welfare Board/*Juvenile Court, under section.....of the Juvenile Justice Act, 1986 to be detained in the *Juvenile Home/*Special Home for a period of.....;

This is to authorise and require you to receive the said juvenile into your custody, and to keep him/her in the *Juvenile Home/*Special Home for the aforesaid order to be there carried into execution according to law.

Given under my hand and the seal of *Juvenile Welfare Board/*Juvenile Court.

Thisday of.....19.....

(Signature)

*Chairman, Juvenile Welfare Board/*Principal
Magistrate, Juvenile Court.

Seal of the Board/Court

Encl:

Copy of the judgement if any, or orders,

Particulars of home and previous record/previous
history under the Juvenile Justice Act, 1986.

Date	Order passed including period of detention, if any,	Section	Competent authority

*Strike which is not required.

FORM V

[See sub-R. (1) of R.6]

Bond to be executed by a parent/guardian/relative or fit person to whose care a child is committed under S. 16(1) or S. 21(1) (b) of the Juvenile Justice Act, 1986.

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

- (1) that I shall not change my place of residence without giving previous intimation in writing to the Juvenile Court through the Probation Officer;
- (2) that I shall not remove the said....from the limits of the jurisdiction of the Juvenile Welfare Board/Juvenile

Court without previously obtaining the written permission or the board/Court;

- (3) that I shall send the said.....daily to school/to such dally work as is approved by the Board/Court unless prevented from so doing by circumstances beyond my control;
- (4) that I shall report immediately to the Board/Court through the Probation Officer, if the said.....misbehaves or absconds from my care;
- (5) that I shall produce the saidbefore the Board/Court whenever so required by it;
- (6) that I shall render all necessary assistance to the Probation Officer to enable him to carry out the duties of supervision;
- (7) in the event of my making default herein, I bind myself to forfeit to Government the sum of Rupees.....(Rs.....)

Dated this the.....day of.....19.....

Before

(Signed)

(Signature of person executing the bond)

(Additional conditions, if any, by the Juvenile Court/Bond
may be entered numbering them properly).

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

I/We.....of.....(place of residence with full
particulars) hereby declare myself, surety/ourselves sureties
for the aforesaid.....(Name of the person executing the
bond) that he shall do and perform all that he has
undertaken to do and perform, and in case of his making
fault therein;

I/We hereby bind myself/ourselves jointly and
severally to forfeit to Government the sum of Rs.....

Dated this the.....day of.....19.....

In the presence of.....

(Signed)

FORM VI

[See sub-R. (2) of R.8]

**Undertaking to be signed by juvenile who has been
ordered under Cl.(b) of Sub-S.(1) of S.21 of Juvenile Justice
Act, 1986.**

Whereas I, Shri/Smti.....
.inhabitant of.....(Give full particulars such
as House No, road, village/town, post office, police station,
district State etc.) have been ordered to be sent back to my
native place by the Juvenile Welfare Board/Juvenile
Court.....under S.21 of the Juvenile Justice Act, 1986 on
my entering into a bond under sub-R.(2) of the Juvenile
Justice Act, 1986 on my entering into a bond under sub-
R.(2) or R.8 of the Juvenile Justice (Assam), Rules, 1986 to
observe the conditions mentioned herein below ;

Now, therefore, I do solemnly promise to abide by
these conditions during the period.....

I hereby bind myself as follows:

- (1) that during the period.....I shall not ordinarily leave
the village/town/district to which I am sent and shall
not ordinarily return to or go anywhere also beyond

the said district without the prior permission of the Board/Court;

- (2) that during the said period I shall attend work/school in the village/town or in the said district to which I am sent;
- (3) that in case of my attending work/school at any other place in the said district I shall keep the Board/Court informed of my ordinary place of residence;
- (4) that I shall be of good behaviour and shall not in any way commit any breach of conditions laid down in this bond and accepted by me;
- (5) that during the period specified in the order, I shall particularly observe the following conditions:
 - (a) that I shall accept the guidance and assistance of the relative or fit person to whom I am sent as named in the order and will obey the directions given to me from time to time by the said person.
 - (b) that I shall not play truant from home, school work of place to which I am sent,
 - (c) that I shall live honestly and peaceably and will endeavour to earn an honest livelihood/attend school regularly and obey the authorities, shall

not change my employment/school without the permission of the relative or fit person to whom I am sent,

(d) additional conditions, if any;

(6) in case of making default in observing any of the conditions specified above, I shall, on my reappearance before the competent authority receive such order as the competent authority deem fit.

Dated thisday of 19...

Signature or mark

Signatures and address of witness (es)

1.

2.

FORM VII

[See sub-R. (2) of R.8]

**Bond to be executed by the person to whose care the juvenile
is to be sent to his native place**

I Shri/Smti
resident of..... (give full particulars such
as house No., road, village/town post office, police station,
district. State etc.) do hereby declare that I am willing to take
charge of.....agedunder the orders of the Juvenile
Welfare Board/Juvenile Court/Magistrate.....
subject to the following terms and conditions:

- (i) if his/her conduct is unsatisfactory, I shall at once inform the competent authority;
- (ii) I shall do my best for the welfare and education of the said.....as long as he/she remains in my charge and shall make proper provision for his/her maintenance;
- (iii) in the event of his/her illness, he/she shall have proper medical attention in the nearest hospital;

(iv) I undertake to produce him/her before the competent authority, when so required.

Dated thisday of.....19.....

Signature

Signature and address of witness (es)

1.

2.

FORM VIII

[See sub-R.(1) of R.28 and S.49 of the Act]

Form of Licence

I, Shri/Smti..... (name and designation of the Licensing Authority) of the Government of Assam do by this licence, permit.....son/daughter.....of.....caste.....residence..... No.....who was ordered (give full address such as house No., road, town/village, post office, Police Station, District, State etc.) to be detained in a Juvenile Home, Special, Home/or Observation Home, by the Juvenile Welfare Board/Juvenile Court.....under section.....of the Juvenile Justice Act,1986 for a term ofon the.....day of.....19.....,and who is now detained in theat.....to be discharged from the said.....on condition that he/she be placed under the supervision and authority ofduring the remaining portion of the aforesaid period of detention.

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

Dated the.....

Signature and designation of
Licensing Authority

Place.....

Conditions

1. The licensee shall proceed to.....and live under the supervision and authority of.....until the expiry of the period of his/her detention unless the remission is sooner cancelled.

2. He/She shall not, without the consent of the said.....remove himself/herself from that place or any other place which may be named by the said.....

3. He/She shall obey such instructions as he/she may receive from the said.....with regard to punctual and regular attendance at employment or otherwise.

4. He/She shall abstain from committing any offence and shall lead a sober and industrious life to the satisfaction of.....

- 5.

- 6.

- 7.

- 8.

9.

10. In the event of his/her committing a breach of any of the above conditions, the remission of the period of detention hereby granted shall be liable to be cancelled and on such cancellation he/she shall be dealt with under sub-S. (3) of S.49 of the Juvenile Justice Act, 1986.

I hereby acknowledge that I am aware of the above conditions which have been read over/explained to me and that I accept the same.

(Signature or mark of the Licensee)

Signature and address of witness (es)

1.

2.

I hereby acknowledge that I am aware of the above conditions which have been read over/explained to me and that I accept the same.

Signature and address of witness (es)

1.

2.

Signature or mark of the responsible person willing to receive and take charge of the Juvenile.

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

Signature and designation
of the certifying authority
(i.e., Superintendent of
the Institution)

(Additional conditions, if any to be imposed, may be inserted by the Licensing Authority and numbered accordingly).

FORM IX

[See sub-R. (1) of R.44]

Report on Preliminary Enquiry

Sl. No.....

Submitted to the Juvenile Court/Juvenile Welfare Board.....in the Court of.....Court Case No.

Probation Department Case No.
Under Section.....

Title of Case,

Police Station

Nature of offence, charged (in the case of delinquent Juvenile only)

Name

Religion

Father's name

Caste

Year of birth/Age/Sex

Permanent address (Give full address such as house No., road, village/town, Post office, Police Station, District, State etc.)

Last address before arrest (Give full address such as house No., road, village/town, Post office, Police Station, District, State etc.)

Previous Court/or institutional history

FAMILY HISTORY

Member of Family:	Name, Age, Health	Occupation or School	Wages, if any
-------------------	-------------------	----------------------	---------------

Father

Step-father

Mother

Step-mother

Sub-mother

Siblings

If married, relevant particulars

Other near relatives or agencies interested

Attitude towards religion

normal or other wise

Social and economic status

Delinquency record of

members of family

Present living conditions

Relationship between

parents/parent and

children especially with the

child under investigation

Other facts of importance, if

any

JUVENILE'S HISTORY

Mental conditions, past and present

Physical conditions past and present

Habit, interests (Moral, recreational etc.)

Outstanding characteristics and personality traits

Companions and their influence

Truancy from home, if any

Previous delinquency, if any

School (attitude towards schoolteachers, class mates and vice versa)

Work record (Jobs held, reasons for leaving, vocational interests, attitude towards job or employers)

Neighbourhood and neighbours' report

Parent's attitude towards discipline in the home and child's reactions

Any other remarks

RESULT OF ENQUIRY

Emotional factors.....

Physical conditions.....

Intelligence.....

Social and economic factors.....

Religious factors.....

Suggested causes of the problems.....

Analysis of the case giving an idea as to how the delinquency behaviour developed....

Recommendations regarding treatment and its plan by Probation Officer.....

Signature of Probation Officer

FORM X

[See sub-R. (2) (d) of R.44]

Report by Probation Officer

PART I

Name of the Probation Officer

For the month of

Register No.

Competent authority

Case No.

Name of the child

Date of supervision order

Address of the child

Period of supervision

PART II

Places of interview

Dates

1. Where the child is residing (Give full address such as house No. road, village/town. Post Office, Police Station, District, State etc.)
2. Progress made in any education/training course
3. What work he/she is doing and his/her/monthly average earning if employed.

4. Savings kept in the Post Office, Saving Bank Account in his/her name.
5. Health of the juvenile
6. Remarks on his/her general conduct and progress
7. Whether properly cared for

PART III

8. Any proceedings before the competent authority-
 - (a) variation of conditions of bond
 - (b) change of residence
 - (c) other matters
9. Period of supervision completed on.....
10. Result of supervision with remarks (if any)
11. Name and address of the parent or guardian or fit person under whose care the juvenile is to live after the supervision period is over

Date of report

Signature of the Probation Officer

FORM XI

[See Rule 51 (1)]

**Show cause notice under sub-S.(2) of S.14 of the Juvenile
Justice Act, 1986**

No.....

Whereas a report from.....has been received under sub-S. (1) of S.14 of the Juvenile Justice Act, 1986 and whereas there is reason to believe that.....(name of the juvenile) son/daughter of.....residing at.....(Give full address such as house No., Road, village/town, Post-office, Police Station, District, State etc.) is a neglected child;

Whereas.....(name of the parent or guardian) residing at.....(Give full address such as house No., road village/town, Post Office, Police Station, District, State etc, is reported to have the actual charge of, or control over the said juvenile;

The said.....is hereby called upon to produce the saidbefore this Juvenile Welfare Board on.....day of.....19.....hours and to show cause why the said.....(name of the child) should not be dealt with as neglected under the provisions of the Juvenile Justice Act, 1986.

Dated this.....day of.....19.....

Seal of the Board

Juvenile Welfare Board.

FORM XII

[See Rule 51 (2)]

Search warrant under sub-S. (2) of S.14 of the Juvenile Justice Act, 1986

Case No.....

To

(Name and designation of the officer who is to execute the warrant)

Whereas Shri/Smti.....residing at....(Give full address such as house No, village/town, post-office, Police Station, District, State etc,) under the actual charge or control of.....is apparently a neglected juvenile and is required to be dealt with under the provisions of the Juvenile Justice Act, 1986;

And whereas it has been made to appear to be that the said juvenile is likely to be removed from.....or to be concealed;

This is to authorise and require you to search for the said.....in the.....and if found, to produce him/her forthwith before this Juvenile Welfare Board, returning this

warrant, with an endorsement certifying what you have done under it, immediately upon its execution.

Given under my hand and the seal of the Juvenile Welfare Board.

This.....day of.....19....

Seal of the Board

(Signature)
Chairman, Welfare Board

FORM XIII

[See Rule 51 (3)

]

Order for the removal of a juvenile from the charge of his parent or guardian under sub-S. (2) of S.14 of the Juvenile Justice Act, 1986

Case No.....

To

(Name and designation of the person, who is to execute the order)

Whereas.....residing at.....

(Give full address such as house No, road, village/town, Post Office, Police Station, District, State etc.,) under the actual charge or control of.....is apparently neglected juvenile and is required to be dealt with under the provisions of the Juvenile Act, 1986;

And whereas there is reason to believe that the said juvenile is likely to be removed from.....or to be concealed;

You are hereby directed to remove the said juvenile from the charge or control of.....to the Observation Home.....

Dated the.....day of.....19.....

Seal of the Board

Chairman, Juvenile Welfare Board

FORM XIV

Report of the Probation Officer for the purposes of sub-S.(3) of S.16 or Proviso to sub-S. (2) of sub-S.21 of the Juvenile Justice Act, 1986.

Name of the Probation Officer under whose supervision the juvenile has been placed.....

Order No. and date under which the juvenile has been placed under supervision.....

Competent authority under whose orders the juvenile has been placed under the supervision of.....

Name of the juvenile's guardian or other fit person under whose care the juvenile has been placed.....

Place of residence (Give full address such as house No, road, village/town, post office, Police Station, district, State etc.)

Whether there has been breach of any of the conditions imposed by the competent authority? If so, State the condition breach of which has taken place.....

Whether the juvenile has not been of good behaviour; if so, justify the same?

Whether the juvenile is not being looked after properly? If so, justify, the same.....

Whether the juvenile is/is not attending his place of employment regularly?

Any other reasons for which the Juvenile is recommended to be sent to a Juvenile Home/Special Home, where the juvenile is recommended to be sent.....

Date

Signature of the Probation Officer

FORM XV

[See Rule 51 (5)]

Information of arrest of a juvenile to his/her parent or guardian vide Cl. (a) of S.19 of the Juvenile Justice Act, 1986

Whereas (name of the juvenile/Shri/Smt
..... son/daughter of.....age.....resident of... ..
...(Give full address such as house No. road, village/town,
Post office, Police Station, district, State etc. has been
arrested under section.....and has been kept in the
Observation Home at... ..will be produced before the
Juvenile Court at.....on(date).....(Name of the parent or
guardian) resident of.....(Give full address such as house
No., road, village/town, post office, police station, district,
State etc.) is hereby directed to be present at the Juvenile
Court.....on.....at.....(time)

Date

Signature of the officer in charge
of the Police Station.

FORM XVI

[See Rule 51 (6)]

**Information of arrest of a juvenile to the Probation Officer vide
Cl. (b) of S.19 of the Juvenile Justice Act, 1986**

Name of the juvenile.....

Age.....

Son/daughter of.....

Residing at.....

Under the care of Shri/Smti(Give full address such as house No, road, village/town, Post Office, Police Station, District, State etc.)

Date and time of arrest.....

Place of arrest.....

Section under which arrested

Brief history of the case.....

Whether kept in the Observation Home and, if so, name of Observation Home?

Date

Signature of the Officer in charge
of the Police Station.

To

The Probation Officer

.....

FORM XVII

[See Rule 51 (7)]

**Order of the competent authority sending a juvenile to
Juvenile Home/Special Home under the provisions of sub-S (3)
of S.16 or under the provisions of sub-S (2) of S.21 of Juvenile
Justice Act, 1986.**

Order

Competent authority.....

No.....

Whereas.....(name of the Juvenile) son/daughter
of.....resident of.....(Give full address such as house No.,
road, village/town, Post Office, Policed Station, District, State etc.)
was placed under the care of.....resident of.....under
section.....of the Juvenile Justice Act, 1986 vide order
No.....dated.....and was further placed under the supervision
of.....(name of the Probation Officer.....under section.....vide
order No.....dated.....;

And whereas on the report of the said Probation Officer and
on making necessary inquiry it has been found expedient to deal

with the said juvenile under section.....of the Juvenile Justice Act. 1986;

It is hereby ordered that the said.....(name of the juvenile) be sent to the Juvenile Home/Special Home.....for a period of.....dated thisday of.....19.....

Seal of the Board/Court

Signature

Chairman, Juvenile Welfare Board/
Principal Magistrate Juvenile Court
