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## NOTIFICATION

### MODEL RULES UNDER THE JUVENILE JUSTICE ACT, 1988

In exercise of the powers conferred by section 62 of the Juvenile Justice Act, 1986, the State Government of MIZORAM is hereby pleased to make the following rules, namely :

Short title  
and com-  
mencement.

1. (1) These rules may be called the Mizoram Juvenile Justice Rule, 1988.
- (2) They shall come into force on the date of their publication in the official Gazette.

Definition :

2. In these rules unless the context otherwise requires.
  - (a) Act means the Juvenile Justice Act, 1986.
  - (b) 'Chief Inspector' 'Inspector' or 'Assistant Inspector' means an officer of the State Government appointed to discharge the functions of the Chief Inspector, Inspector or Assistant Inspector under these Rules.
  - (c) 'Form' means a form annexed to these rules.
  - (d) 'Institution' means a juvenile home, a special home, and observation home or an after care organisation or any institution certified or recognised as such under the Act.
  - (e) 'Section' means a section of the Act.
  - (f) State Government means the State Government of Mizoram.
  - (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 recognised as such under the Act.

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|---|----|--|
| Place of Sitting etc. of the Competent Authority                        | 3. | The competent authority shall hold its sitting on the premises of an observation home on such days and at such time as may be fixed by the authority concerned from time to time.  |
| Qualifications, etc. of Honorary Social Workers.                        | 4. | <p>A person to be appointed as an honorary social worker on the panel under sub-section (3) of Section 5 shall be :—</p> <p>(a) a respectable educated citizen with the background of special knowledge of child psychology, sociology, social work, education or home science ;</p> <p>(b) a teacher, a doctor, a retired public servant or a professional who is involved in work concerning juveniles, or</p> <p>(c) a social worker who has been directly engaged in child welfare.</p>  |
| Procedure to be followed by a competent authority in holding inquiries. | 5. | <p>(1) In all cases under the Act the proceedings shall be conducted in as simple a manner as possible and no unnecessary formality shall be observed. Care shall be taken to ensure that the juvenile against whom the proceedings have been instituted feels home like atmosphere during the proceedings.</p> <p>(2) The competent authority shall see that the juvenile brought before it is not kept under the close guard of a police officer but sits or stands by himself or in the company of a relative or friend or a probation officer at same convenient place as near to it as possible.</p> <p>(3) In examining a juvenile and recording his statement the competent authority shall be free to address the juvenile in any manner that may seem 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.</p> <p>(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.</p> |



- (5) On production of a juvenile under sub-section (3) of section 13 or on receipt of a report under sub-section (2) of section 14 or on a complaint being received under section 17 the Board may order in Form I, a probation officer or call upon a special worker to enquire into the character and social antecedents of the juvenile with a view to assessing the best possible mode for placement with the 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 clause (e) of sub-section (1) of section 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 orders 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 judgement 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-section (2) of section 9, or as special home under sub-section (2) of section 10 or recognised as observation home sub-section (2) of section 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 fully taken into consideration by the competent authority before the juvenile is committed to the said institution.

Placement un- 6.  
der the care of  
parent guardian  
or fit person.

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-section (1) of section 16 or clause (b) of sub-section (1) of section 21 may direct such parent, guardian or fit person to enter into bond in Form V 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-section (1) of section 16 or under clause (b) of sub-section (1) of section 21 by a competent authority shall :—
  - (a) make arrangements for proper care and nature ;
  - (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 juvenile.

Contribution  
of parent or  
other persons.

7. (1) The competent authority making an order under sub-section (1) of section 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 Government.

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

8. (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 section 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 & 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 the case may be, if necessary on execution of a bond by the juvenile as in form VI to the said relative or fit person on giving an undertaking by the said relative or fit person in Form V.
- (3) A copy of the orders passed by the competent authority under section 34 shall be sent to :—
  - a) the probation officer who was directed to submit a report under sub-rule (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 or under taking or of bond given under sub-rule (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-rule (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 section 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-rule (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.



Escorting of  
a girl from  
one place to  
another.

9. 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 inquired 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 than 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.

Mode of deal-  
ing with  
Juveniles suffer-  
ing from  
dangerous  
diseases or  
mental com-  
plaints.

10. (1) When juvenile detained in any institution under the provisions of the Act on placed under the care of a fit person as a fit institution 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 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-rule (1) that the juvenile is cured of the disease or physical or mental complaint that 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-rule (1) in the case of a juvenile suffering from an infection or contagious diseases the authority empowered under the sub-rule (1) , before

restoring the said juvenile to his partner in marriage or to the guardian, as the case may be, shall where it is satisfied that such action will be in the interest of the said juvenile call upon his partner in marriage or the guardian as the case may be, to satisfy that such partner or guardian will not reinfect the juvenile.

- (4) If there is no institution either within the jurisdiction of the competent authority or nearby State for sending the juvenile suffering from dangerous diseases as required in sub-section (1) of section 31, necessary institution shall be set up by the state Govt. at such place as may be deemed fit by it.

Articles  
found on  
search and  
inspection

11. (1) The Superintendent shall see that every juvenile received in the institution is searched, that he is cleansed, that his personal effect 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. Girl shall be searched by a female member of the staff and with due regard to decency.
- (2) In every institution a register of money, valuable 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 in his person on search and inspection and taken possession of entered in such register, and the entries relating to him shall 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 realised for them;
- (c) the return to him of any money, valuables or articles at the time of release or otherwise.

Disposal  
of property.

12. (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 or more than trivial value, it shall be sold by auction as soon as by 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 to be worthless, or the clothing and bedding and other articles of juvenile found to be suffering from any infectious or contagious disease shall be burnt;

(d) Clothing, bedding and other articles not covered by the provisions of clauses (a) (b) and (c) shall, after being washed and disinfected, if necessary be made up into a bundle or bundles and suitable stored. The Superintendent shall be responsible for their safe custody.

(2) No person on the staff of the institution shall, or whether directly, 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 valuable 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 and the Superintendent shall take the signature or thumb impression of the parent or guardian of the juvenile or 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 book in the custody of 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 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 there in the property left by the deceased and the money deposited in his name shall be handed over the Superintendent to any person who established his claim there to and executes 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 sections 25 to 27 of the Police Act, 1861.

### **Institutional Management**

13. (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. In any case boys above 12 years shall be lodged in separate homes. (2) Each institution shall have Reception Unit under the charge of a case worker for the admission of new arrivals. Newly admitted juveniles may in suitable cases be kept in the Reception Unit for ten days initially. Where necessary, the Superintendent may suitably extend this period to facilitate a detailed study of the juvenile. The juvenile suspected to be suffering from contagious diseases, mental ailments, addiction, etc., shall be immediately 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 juveniles 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, interview, family matters, personal problems etc., and
- (i) verification by the officer-in-charge of order of the competent authority, identification marks register entries, cash property, etc.

(4) Each institution shall follow a schedule of orientation talk for the newly-admitted juveniles covering the following aspects namely :-

- (a) interpretation or rules and regulations;
- (b) Health, sanitation, hygiene;
- (c) Institutional discipline and standards of behaviour, respect for elders, teachers, etc;



- (d) self improvement opportunities, and
- (e) responsibilities and obligations.

(5) An overall study of the juveniles admitted to an institution shall be undertaken on the basis of their social history, behavioural pattern and attitude 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 contacts. 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.

- (6) All inmates in the Reception Unit shall be given work like,
  - (a) self-help in maintaining their own establishment.
  - (b) cleaning of open spaces, gardening etc.
  - (c) preliminary operations for crafts.

### Daily Routine

14. (1) Each institution shall have a well 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, organised recreation and games, moral education, group activities, prayer and community singing.

- (2) For Sunday and holiday the daily routine shall include:
  - (a) washing of clothing and bedding;
  - (b) library reading,
  - (c) radio, television and recorded music;
  - (d) recreational programmes, games, sports.
  - (e) properly planned excursion;
  - (f) scouting activities.

### Diet scale

15. The State Government shall prepare Diet Scale for juvenile in consultation with nutrition experts so that the diet becomes balanced, nutritious and varied. Special diet may be provided on national days and festivals.



### Issue of clothing, bedding and other articles.

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

### Sanitation and hygiene.

17. Each institution shall have the following facilities, namely :—

- (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 in the proportion of at least one latrine for seven children;
- (g) sufficient number of bath rooms in the proportion of at least one bath room for ten children;
- (h) sufficient number of urinals;
- (i) arrangements for getting the entire premises and buildings of the institution thoroughly cleaned at least once a day;
- (j) sufficient number of washing places;
- (k) cleanliness in the kitchen;
- (l) fly-proof kitchen;
- (m) arrangements for boiling clothes once a week, arrangements for washing for clothes every day;
- (n) sunning of bedding and clothing twice a week, and
- (o) scrupulous cleanliness in the hospital.

### Accommodation

18. The minimum standard of accommodation shall be as follows, namely :—



- (a) Dormitory — 40 square feet per child;
  - Classroom — Sufficient accommodation;
  - Workshop — Sufficient work space;
  - Playground — 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.

### Medical care

19. (1) Each institution shall provide for the necessary medical staff and 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 hospital or treatment centres.
- (2) Immediate action in accordance with the provisions of section 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 drug.
- (3) Each juvenile admitted in an observation home shall be medically examined by the medical officer of the observation home as far as possible within forty eight hours after his admission to his observation home and also in the case of a juvenile known to be awaiting removal to a 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 forthwith be removed to a Government hospital and if this is not practicable shall be isolated from other inmates. If any infectious diseases breaks out in an institution and subsequently admitted, juvenile shall so far as practicable be kept separate from those who are known or suspected to be suffering from the infectious diseases.
- (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.

### Institutional programme

20. (1) Each institution shall provide for physical exercise and recreational facilities. The recreational facilities may include the provision of radio, television, library,

music, games, (indoor and outdoor), etc. with the trained staff available for this purpose.

(2) Each institution shall organise activities and programme for the socio-cultural uplift of the inmates, such as cultural meets, parents inmates-staff meetings community contacts, visits to outside institutions, excursions, etc.

(3) Case work services shall be provided in all institutions to deal with the individual problems of inmates. The service of psychologist or psychiatrist shall also be availed of preferably by establishing linkages with child guidance clinics, counselling and guidance centres, psychiatric departments or similar agencies in the community or by appointment on part time or full-time basis as per requirement.

(4) The educational programme shall be developed as an integral part of the educational routine, emphasising on the academic, health, social moral and ethical aspects. The educational programme shall be organised on the pattern recognised by the education department of the State Government concerned including non-formal adult education techniques. The inmates shall be provided facilities of specialised education in the community on a selective basis. The educational programme shall be organised under the supervision of trained staff.

(5) A diversified programme of vocational training shall be organised in all juvenile and special homes with special reference to employment opportunities available in the community so as to facilitate their rehabilitation. The courses shall be designed on the lines approved by the technical department of the state Government concerned. The trained vocational instructor shall be appointed for the purpose. Vocational training facilities in the community shall also be availed for inmates on a selective basis by providing linkages with welfare institutions, placement agencies and industrial and other production units.

(6) A well-rounded programme of pre-release planning and follow-up of cases discharged from juvenile and special homes shall be organised in all institutions in close collaboration with voluntary welfare organisations.

#### **Classification Committee.**

21. (1) A juvenile shall be classified on the basis 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 and vocational training needs, his total background possibilities of his social adjustment, his prospects after release and his rehabilitation needs shall be taken into consideration.

(2) For this purpose a classification committee shall be constituted in each juvenile or special home consisting of the following personnel :—

Superintendent	— Chairman
Deputy Superintendent	— Vice Chairman
Case worker/Psychologist	— Member
Medical Officer	— Member



Workshop Supervisor	—	Member
Instructor in vocation	—	Member
Teacher	—	Member
Head of Care-taking staff	—	Member
Officer in charge of the Reception Unit	—	Secretary

(3) The classification committee shall 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 counselling.

(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 review and follow-up of the decisions taken by the Classifications Committee, as laid down by the Chief Inspector, shall be followed in each institution.

### **Rewards and earnings**

22. (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 behavior.

(2) At least half the amount earned by the juvenile shall be deposited in the manner prescribed by the concerned authority from time to time in his name (of the inmate) 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. on fixed days of the week.

(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 handed over 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.

#### **Visitors to and communication with inmates.**

23. (1) The parents and near relation of the inmates shall be allowed to visit and 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 of letter by the inmates of the institution shall not be restricted and they shall have freedom to write as many letters as they like at all reasonable time. However, the institution shall ensure that where parents, guardians or relatives are known, at least one letter is written by the inmate every week for which the postage be provided.

(3) The Superintendent may peruse any letter written by or to an inmate, and may for any reason 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.

#### **Prohibited articles.**

24. (1) No person shall, except with written permission of the Superintendent or the medical officer of the institution, carry into the institution prohibited articles.

(a) fire-arms :

(b) alcohol and spirit of every description :

(c) bhag, ganja, opium and other narcotic drugs or psychotropic substances; or

(d) any other articles specified in this behalf by the State Government by general or special orders.

#### **Emergencies**

25. (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 condiderate 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 quarantining 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 operation 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 action to be taken is as follows, namely;
- (a) the Superintendent shall immediately send the guards in search of the juvenile at places like railway station, 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 Police Station alongwith the 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 of his admission to the institution an inquest and postmortem 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 and the

Medical Officer, and the juveniles shall, if life be extinct, be left in the position 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 or violence or accident or whenever there is any doubt or complaint or question concerning the causes 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, violent and sudden death, etc., both inquest and postmortem 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 or Inspector.
- (e) The Superintendent shall then make a detailed investigation of all the circumstances connected with the cause and forward the same without delay alongwith 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 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 juvenile 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 Civil Surgeon and the Coroner or the District Magistrate and the authorities under the Act.
- (i) The parents or guardians of the deceased juvenile shall be contacted and the Superintendent shall wait for 24 hours for the arrival of relatives. After the inquest is held, the body should be disposed of in accordance with the religion of the juvenile.
- (j) 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.



### Leave of Absence

26. (1) The inmate of an institution may be given leave of absence to go and stay with his family during school vacation, festival, emergencies or 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 upto 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 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 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 guardian 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 or 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.

### Transfer of Juvenile.

27. (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 inter of the juvenile with specific reasons, for example—
- (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 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 shall 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. Correspondence and orders in this behalf may be issued by the State Governments.
  - (4) On receipt of transfer orders from the proper authority, the Superintendent shall arrange to escort the juvenile to the new institution.

The juvenile's case file containing the record of the juvenile shall be sent along with the juvenile. The parent or guardians shall be informed about the juvenile's transfer and reasons therefor.

#### Release on licence.

28. (1) The licence granted under sub-section (1) of section 9 of the Act shall as far as possible be in form VIII.
- (2) After the order of release on licence in Form VIII is issued by the State Government 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/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.

#### Release

- (29) (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 to the Chief Inspector along with a detailed report. With report



to cases 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 invited to come to the institution to take charge of the inmate on that date. If necessary, the actual expenses of the parent's or guardian's journey both ways and of the juvenile's journey from the institution shall 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 shall be taken to his native place by the escort of the institution. Girl 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 organisation 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 girl's institution, subject to the approval of the Chief Inspector, may get suitable girls above the age of 18 years 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 shall 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 cases, the Superintendent may provide the juvenile with such small tools, as may be necessary, to start a business subject to such maximum cost as may be fixed.
- (8) 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.

#### **Maintenance of case file**

30. The case file of each inmate shall be maintained in a juvenile home or special home, containing the following information, 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 Officers, Intelligent Question testing, aptitude testing, educational tests;
- (h) social history ;
- (i) initial classification sheet;
- (j) summary and analysis by officer-in-charge of the reception unit;
- (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) medical certificate report (in case of girls);
- (q) pre-release programme;
- (r) final progress report;
- (s) release on license;
- (t) final discharge;
- (u) follow-up reports;
- (v) central index number;
- (w) remarks;

**Establishment and recognition of After Care Home.**

31. (1) The State shall provide a comprehensive scheme of after care with the following objectives, namely :-



- (a) to extend help, guidance, counselling, support and protection to all released juveniles whenever necessary.
- (b) to help a released juvenile to overcome his mental, social and economic difficulties;
- (c) to impress upon the juvenile the need to adjust his habits, attitudes, approaches and value schemes on a rational appreciation of social responsibilities and obligations and 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 re-adjustment with his family, neighbourhood and community;

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, re-settlement and rehabilitation.
- (2) The State Government may establish and maintain as many 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 enabling them to lead on lead on honest, industrious and useful life.
  - (3) Where the State Government is of the opinion that any institution other than an institution established under sub-rule (2) is fit for the reception of the juvenile to be sent there from the juvenile homes and special homes he may recognise such institution as an After Care Home for the purposes of the Act.
  - (4) Every after care home to which a juvenile is sent under these rules shall not only provide the juvenile with accommodation, maintenance and educational and vocational guidance but also provide him with facilities for the development of his character and abilities to ensure all-round development of his personality as well as opportunities to enable him to reintegrate into the community as law-abiding citizen and shall perform such other functions as may be prescribed from time to time.
  - (5) Before a juvenile is discharged from a juvenile home or special home, as the case may be, and is sent to an after care home, the Probation Officer or the Case Worker shall prepare and submit a report 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 in which the juvenile is placed shall submit periodically a detailed progress report on the juvenile to the Chief Inspector till the juvenile is reintegrated into the community.

- (6) The internal management, functions and responsibilities of the after care home and the standards and nature of service to be maintained by it shall be regulated by the instructions as issued from time to time.

### **Recognition of fit person or institution**

32. (1) Any individual or 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 recognised by the State Government as fit person or fit institution.
- (2) Any association or body of individuals, whether incorporated or not, established for or having for its object the reception or protection of juveniles 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 recognised as a fit person or fit institution with collateral branches, the managers of such institution may send the juvenile to any of the branches of such institution after giving an intimation to the competent authority under whose order the juvenile was committed and to the Chief Inspector.

### **Certification of Institution or recognition**

33. (1) If the superintendent of any institution desired that the institution may be certified or recognised 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, office bearers and a statement showing the status and past record of social or public service of the institution and the society 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 officer 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 himself that the institution possesses sufficient financial means to carry out its obligations, certify or grant recognition to or certify the institution under sections 9,10 and 11 of the Act or 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 that the same are followed by the persona of the institution;
  - (c) provide such staff as may be required by the Chief Inspector or the competent authority and 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 Inspectors, if dissatisfied with the conditions, rules, management or superintendence of an institution certified or recognised 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 from the said date the institution shall cease to be an institution certified or recognised under sections 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 manager of the institution, prohibit admission of juveniles to 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 the restore the certificate, or recognition of the institution may be taken on the basis of a thorough investigation by a specially constituted committee including among its members a representative of a voluntary institution or organisation 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 or recognition shall take effect and the institution shall cease to be certified or recognised 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 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 dates 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 institution certified or recognised under sections 9, 10, or 11 of the Act or 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 recognised under sections 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 Board/Court.

#### **Grant-in-aid to certified or recognised institutions.**

34. An institution certified or recognised under sections 9, 10 or 11 of the Act may, during the period certification or recognition is in force, apply for grant-in-aid by the State Government for maintenance of Juveniles received by them under the provisions of the 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.

#### **Admission of outsiders.**

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

#### **Identity photos.**

36. 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 in another album.

#### **Police Officers to be in Plain Clothes.**

37. While dealing with juveniles under the provisions of the Act or these rules, except at the time of arrest, the Police Officer shall wear plain clothes and not the police uniform.

#### **Prohibition of the use of handcuffs and fetters.**

38. No juvenile dealt with under the provisions of the Act or these rules shall be handcuffed or fettered.



### **Visitors' Book.**

39. A Visitors' Book shall be maintained in which the persons authorised 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 thereon the Chief Inspector shall issue such orders as he may deem necessary.

### **Maintenance of Registers.**

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

### **Headquarters Organisation.**

41. (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, Assistant Inspector, Research Officer and/or Statistical Officers, Accounts Officer, Audit Officers and ministerial staff as per requirement.

(2) The State Government shall appoint an Inspector for each district to assist the Chief Inspector.

(3) The Headquarters' Organisation shall have a separate wing for the development of education, vocational training and rehabilitation services as well as for the placement of juveniles released from institution. Such a wing shall also have a unit for girls' opportunities for their reintegration into the community through marriage, employment, vocational placement, etc.

(4) One of the main objectives of the headquarters organisation will be the development of infrastructure in voluntary sector for providing services under the juvenile justice system.

(5) The functions of the headquarters organisation will be as follows:

(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

- (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. The Chief Inspector shall be responsible for the inspection of institution set up or recognised 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 immunisation and preventive and curative services;

(e) arrangements for education and vocational training;

(f) maintenance of files of juvenile in institutions;

(g) arrangements made for recreation, games, physical Training, library, etc.

(h) provision of staff of various categories;

(i) register and accounts;

(j) difficulties and grievances of personnel;

(k) difficulties and grevances of juveniles ; and

(l) review of the impact of the institutional programmes.

#### **Inspection of Institutions**

42. (1) Every Chief Inspector, Inspector and Assistant Inspector shall, during his



inspection or visit to an institution, give every juvenile committed or remanded to its care an opportunity to make any complaint or application to him which such juvenile may wish to make.

(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 and Assistant 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 place of safe custody in which a juvenile is kept shall be open to inspection by the District magistrate, any magistrate deputed by the District magistrate, member of a Juvenile Welfare Board, magistrate a juvenile Court the Chief Inspector and his inspecting staff and any officer of the State Government so empowered in this behalf.

(6) 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 of 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 Government District Inspector of schools 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 recognised to be in accordance with the curriculum approved by the Directorate of Education. He shall also carry out inspection of such institution within his local jurisdiction as required 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 through the Director of Education.

(9) Such Inspector shall inspect the premises of each such institution within his jurisdiction, see the juveniles and satisfy himself that a the registers pertaining to literary education are maintained according to the rules 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 wish to make. 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 authorised by him on his behalf or by an officer of the Agriculture or other Departments concerned as the case may be, shall forward the inspection report to the Chief Inspector.

### **Duties of the Superintendent**

43. (1) The general duties, functions and responsibilities of the Superintendent will 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 minimum standards at the institutions;
- (d) Classification of juveniles, training and treatment programmes and correctional activities;
- (e) Supervision over juveniles, 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 of institution;
- (l) Inspecting and tasting food prepared for juveniles;

### **Duties of Probation Officer**

44. (1) On receipt of information from the Officer-in charge of a police station under clause (b) of section 19 an order from the Juvenile Welfare Board under Rule 26 of these rules, 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 as neatly as in Form IX to 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 and the Chief Inspector and shall perform the following duties:-

- (a) to make inquiries regarding the home and school conditions, conduct, character and health of juveniles under his supervision.



- (b) to attend regularly the court of a competent authority and submit reports.
  - (c) to maintain diary, case files and such registers as may be prescribed from time to time.
  - (d) to visit regularly juveniles placed under his supervision and also places of employment or school attended by such juveniles and to submit regularly fortnightly reports as neatly as in Form X.
  - (e) to take juveniles wherever possible from the court of a competent authority to observation home, to juvenile home, special home or fit person;
  - (f) to bring before the competent authority immediately juveniles who have not been of good behaviour during the period of supervision.
  - (g) follow up of juveniles after their release from the institutions and extending help and guidance to them;
  - (h) establishing linkages with voluntary workers and organisations 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.

### Duties of Case Workers

45. The general duties, functions and responsibilities of case workers shall be as follows namely :-

- (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 and dealing with his difficulties in institutional life;
- (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) participating in the pre-release programme and helping the juvenile to establish contacts which can provide emotional and social support to juveniles after their release;

### Duties of Care Takers

46. The general duties, functions and responsibilities of Care takers shall be as follows, namely;

- (a) handling juveniles with love and affection;
- (b) taking proper care and welfare of juveniles;
- (c) maintaining discipline in institution;
- (d) maintenance of 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 wherever they go out of the institution.

(2) A job chart for Care takers shall 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
- (c) wilful disobedience or neglect of any rules, regulations or orders.

### Training of Personnel

47. The State Government shall provide for training for personnel of each category of staff in keeping with their statutory responsibilities and specific job requirements. The training programme shall 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 organisation.



### Advisory Board

48. (1) The State Government shall set up an Advisory Board as required under Section 53 of the Act, consisting of the following :—

Minister in charge of Juvenile Justice services.	..	Chairman
Secretary in charge of Juvenile Justice services.	..	Member
Secretary, Education	..	Member
Secretary, Health	..	Member
Secretary, Home	..	Member
Secretary, Law/Judicial Department	..	Member
Secretary, Labour and Employment	..	Member
Secretary, Cottage and Small Scale Industries	..	Member
Secretary, Industries	..	Member
Secretary, Finance	..	Member
An Industrialist	..	
A representative of the Bar		
Two Social Workers/representatives of voluntary Organisations.		
Director in charge of Juvenile Justice services.		Member Secy.

(2) The Advisory Board may advise to the State the following matters, namely :—

(a) development of juvenile justice services through various official and community-based welfare agencies;

(b) the ways and means of mobilising 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 on the recommendation of the Director in charge of juvenile justice services. The non-official members shall hold office for a term of three years from the date of appointment and shall be eligible for re-appointment. The tenure of the non-official member, may without assigning any reason, be terminated by the State Government. Any casual vacancy among non-official members shall be filled by the appointment of another non-official who shall hold office so long as the person in whose place he is appointed would have held it if the vacancy had not occurred. The procedure for the meetings of the Advisory Board shall be laid down by the State Government.

### Visitors

49. (1) The District Magistrate shall be empowered to appoint three non-official visitors for each institution established under the Act within his jurisdiction. Each visitor appointed under section 54 shall visit the institution for which he or she is appointed at least once in three months and send a quarterly report to 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.

### Juvenile Justice Fund

50. (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 shall be applied—

- (a) to implement programmes for the welfare and rehabilitation of juveniles;
- (b) to pay grant-in-aid to non-official organisations; and
- (c) to do all other things that are incidental and conducive to the above purposes;

(3) For the management and administration of the fund the State Government shall constitute a Board of Management consisting of the following members, namely :-

- |  |                        |
|--|------------------------|
| (i) Minister-in charge of Juveniles Justice Services.                                  | Chairman               |
| (ii) Secretary-in-charge of the Department dealing with the Juvenile Justice Services. | Member                 |
| (iii) Secretary, Department of Finance.  | Member                 |
| (iv) Three non-official members to be appointed by the State Government.               | Member                 |
| (v) Director of the Department dealing with the Juvenile Justice Service.              | Secretary<br>Treasurer |

(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 two years. A member nominated to fill a casual vacancy shall hold office for as long as the member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

(5) (i) A non-official member other than the Chairman may resign his office by writing under his hand addressed to the chairman.

(ii) The Chairman may resign his office by writing under his hand addressed to the State Government.



- (iii) The resignation shall take effect from the date of its acceptance or on the expiry of 30 days from the date of its receipt by the Chairman, or as the case may be, by the State Government whichever is earlier.
- (6) A non-official member shall be deemed to have vacated his office :-
- (a) if he becomes of unsound mind or is declared insolvent;
  - (b) if he is convicted for any offence which in the opinion of the State Government involved moral turpitude;
  - (c) if, in the opinion of the State Government is not desirable that he should continue to be a member;
- (7) The Board of Management shall meet at least once a year at such places and on such days and at such times as may be appointed by the Chairman.
- (8) The quorum for a meeting of the Board of Management shall be four. If a meeting of the Board of Management could not be held for want of quorum then a meeting shall automatically stand adjourned till the same day in the next week, at the same time and place, or if that day is a public holiday, till the next succeeding day which is not a public holiday, at the same time and place.
- (9) It shall be the duty of the Secretary-Treasurer
- (a) to be the custodian of all records of the Board 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 the Board of management from time to time.
- (10) 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.
- (11) The assets of the Fund shall include all such grant and contributions, recurring or non recurring, from the Central and State Governments or any other statutory or non-statutory bodies set up by the Central or State Government as well as the Voluntary donations from any individual or organisation.
- (12) Withdrawals shall be made by cheques or requisition, as the case may be, signed by the Secretary Treasurer in the case of amounts not exceeding rupees one thousand and duly signed by the Secretary-Treasurer and other member of the Board of Management to be nominated by the Board of Management in other cases.

(13) Regular accounts shall be kept of all money and properties and all incomes and expenditure of the fund and shall be audited by the firm of Chartered Accountants or any other recognised authorities as may be appointed by the Board. The Auditors shall also certify that the expenditure from the funds of the Fund has been incurred 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 and one member of the Board of Management authorised by it for that purpose.

(14) The Board of Management shall invest the proceeds of sale or other disposal of the property as well as any money or property not immediately required to be used 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.

15. The Board of Management may delegate to one or more of the members such of its powers which in its opinion are merely ministerial or procedural.

### Forms

51. As far as possible the following form shall be used for the purpose noted against each :

Form XI : Show cause notice under sub-section (2) of section 14.

Form XII : Search warrant under sub-section (2) of section 14.

Form XIII : Order for the removal of a juvenile from the charge of his parent or guardian under sub-section (2) of Section 14.

Form XIV : Form of report of the probation officer for the purpose of sub-section (3) of Section 16 or proviso to sub-section (2) of section 21.

Form XV : Form of information of arrest of a juvenile to his/her parent or guardian under clause (A) of section 19.

Form XVI : Form of information of arrest of a juvenile to the Probation Officer under Clause (B) of Section 19.

Form XVII : Order of the competent authority sending a child to a juvenile home or special home under sub-section (3) of section 16 and proviso sub-section (2) of section 21.



## FORM I

(See Sub-rule (5) of Rule 5)

Order requiring a Probation Officer 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 .....

2) .....son/daughter of .....  
.....residing at .....has been produced before this Juvenile  
Welfare Board under the provisions of sub-section (1) of section 15 of the Juvenile  
Justice Act, 1986.

You are hereby directed to inquire into the character and social antecedents of  
the said Juvenile and submit your report of social enquiries on or before.....  
or within such further times as may be allowed to you by the Juvenile Welfare Board.

Date this .....day of .....19

SEAL

(Signature)  
Chairman, Juvenile Welfare Board.

## FORM II

(See sub-rule (6) of rule 5)

## SUPERVISION ORDER

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

Case No. Of 19

Whereas ..... has  
(name of the child)

This day been found to be neglected juvenile  
to have committed an offence

Under section .....  
and has been placed under the care of (name).....  
(address) .....on executing a bond by  
the said.....And the court is satisfied  
that it is expedient to deal with the said juvenile by making an order placing him/her  
under supervision :

## FORM IV

(See sub-rule (8) of rule 5)

Order of detention under sub-section (2) of Section 15 or under clause (c) of sub. section (1) of Section 21 of the Act.

To The Superintendent

Whereas on the ..... day of .....  
19..... son/daughter of  
(name of juvenile)

..... age ..... residing at .....  
..... being found in case No. ....  
..... £ to be a neglected juvenile  
..... £ to have committed an offence under section  
..... was ordered by me .....

£ Chairman, Juvenile Welfare Board

£ Senior Magistrate, 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 for the aforesaid order to be then carried into execution according to law. £ Special Home

Give under my hand and the seal of £ Juvenile  
£ Juvenile

Welfare Board  
Court.

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

(Signature)

£ Chairman, Juvenile Welfare Board  
£ Principal Magistrate, Juvenile Court

Enclo

Copy of the judgement

if any, of orders,

particulars of home and previous record.

\* Strike which is not required.

Previous history under the Juvenile Justice Act. 1986.

Date ..... order passed ..... Section ..... Competent  
including period of ..... authority

detention, if any.



## FORM V

(See sub-rule (1) of rule 6 )

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

Whereas I .....being the parent, guardian, relative or person under whose care (name of juvenile) has been ordered to be placed by the said Juvenile Welfare-Board/Juvenile's Court ..... have been directed by the said Juvenile Welfare-Board /Juvenile Court to execute ..... 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 Welfare Board/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 of the Board/Court;
- (3) that I shall send the said .....daily to school/to such daily work as is approved by the Board/Court unless prevented from so doing by circumstances beyond my control.
- (4) that I shall send the said.....to an Attendance Centre regularly unless prevented from so doing by circumstances beyond my control;
- (5) that I shall report immediately to the Board/Court through the probation officer, if the said.....misbehaves or absconds from my care;
- (6) that I shall produce the said.....before the Board/Court whenever so required by it;
- (7) that I shall render all necessary assistance to the probation officer to enable him to carry out the duties of supervision.

## FORM VI

(See sub-rule (2) of rule 8)

Bond to be signed by Juvenile who has been ordered under clause (b) of sub-section (1) of section 21 of the Act.

Whereas I .....  
inhabitant of .....  
(give full particulars such as House Number)  
.....  
(road, village/town, sub-division, district, state)

have been ordered to be sent back to my native place by the Juvenile Welfare Board/ Juvenile Court..... under section 21 of the Juvenile Justice Act, 1986 on my entering into a bond under sub-rule (2) of rule 8 of the Mizoram Juvenile Justice Rile, 1987 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 or place to which I am sent;

(8) 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/Board may be entered numbering them properly,  
(where a bond with sureties is to be executed add.)

I/We.....of .....

(place or residence with full particulars) hereby declared 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 VII

(See sub-rule (2) of rule 8)

Under taking to be given by the person to whose care the juvenile is to be sent to his native place.

I, .....  
 resident of .....  
 (give full particulars such as house No.)  
 (road, village/town, district, state)  
 do hereby declare that I am willing to take charge of .....  
 ..... aged ..... under the orders of the  
 Juvenile 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 provisions 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.

Date this ..... day of ..... 19....

Signature :

Signature and address of witness (es):

- 1.
- 2.

(c) that I shall live honestly and peaceable 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 my making default in observing any of the condition specified above I shall on my re appearance before the competent authority receive such order as the competent authority deem.

Date this ..... day of ..... 19....

Signature of remark

Signature and address of witness(es)

- 1.
- 2.

## FORM VIII

(See sub-rule (1) of rule 28)

## Form of licence

I, \_\_\_\_\_  
 (name and designation of the licensing authority)  
 State Government do by this licence permit .....son/daughter  
 of .....caste .....residence .....  
 number .....who was order to be detained in a Juvenile Home, Special Home,  
 Observation Home, After care Home by the Juvenile Welfare Board/Juvenile court  
 .....under sub-section (1) of section 49 of the Juvenile Justice Act, 1986 for  
 a term of .....on the .....day of .....19, and who is now detained  
 in the .....at .....to be discharged from the said..... on condition  
 that he/she be placed under the supervision and authority of .....during 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  
 place

Signature and designation  
 of Licensing Authority

## 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 un-  
 less the remission is sooner cancelled.
2. He/She shall not, without the consent of the said.....remove himself/  
 herself from that placed or any other place which may be name by the said.....
3. He/she shall obey instructions as he/she may receive from the said.....with  
 regard to punctual and regular attendance at employment or ortherwise.
4. He/she shall attend the Attendance Centre at .....  
 .....regularly.
5. He/she shall abstain from committing any offence and shall lead a sober and  
 industrious life to the satisfaction of .....

- 
6. \*
  7. \*
  8. \*
  9. \*
  10. \*

In the even of his/her committing a breach of any of the above conditions, the renis-  
 sion of the period of detention hereby granted shall be liable to cancellation and on



such cancellation he/she shall be dealt with under sub-section (3) of section 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)

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 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.  
To be numbered where necessary.

FORM IX

(See sub-rule (1) of rule 44)

Report on Preliminary Enquiry

Sl.No.

Submitted to the Juvenile Court/Juvenile Welfare Board in the court of  
Court Case No. Probation Deptt.  
Case No.  
Under Section

Title of case,  
Police Station

Nature of offence, charged  
(in the case of deliquent juvenile only)

Name	Religion
Father's name	Caste
Permanent Address	
Last address before arrest	Year of birth
	Age
	Sex

Previous court or institutional history

## FAMILY

Members of Family	Name	Age	Health	Occupation or school if any	Wages
Father					
Step Father					
Mother					
Step Mother					
Sub-Mother					
Siblings					
If married, relevant particulars					
Other near relatives or agencies interested					
Attitude towards religion normal and othical code of the home, etc.					
Social and economic status					
Delinquency record of members of family					
Present living conditions					
Relationship between parents/parent and children especially with the child under investigation					
Other facts of importance if any					
Juvenile History					
Mental conditions past and present					
Physical conditions past and present					
Habits, 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 school teachers, class-mates and vice versa)					
Work record (Jobs held, reasons for leaving vocational interest, attitude towards job or employers)					
Neighbourhood and neighbours report					
Parents' attitude towards discipline in the home and child's reactions					
Any other remarks					



## RESULTS OF ENQUIRY

Emotional factors  
 Physical conditions  
 Intelligence  
 Social and Economic factors  
 Religious factors  
 Suggested causes of the problems  
 Analysis of the giving an ideas  
 to how the delinquency behaviour developed.  
 Recommendations regarding treatment and its plan by Probation officer.

Signature of Probation Officer.

## FORM X

(See sub-rule (2) (d) of rule 44)

## Fortnightly Report of Progress of Probationer

## Part I

Name of the Probation Officer for the month of  
 Register No.  
 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
2. Progress made in any educational/training course.
3. What work he/she is doing and his/her monthly average earning, if employed
4. Savings kept in the Post-Office. 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 of or
  - a) Variation of conditions of bond
  - b) Change of residence
  - c) Other matter.
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)

(Show cause Notice under sub-section (2) of section 14 of the Juvenile Justice Act, 1986)

To.

(Name &amp; Address of parent)-

Whereas ..... residing at ..... under your actual charge/control is a neglected juvenile in the opinion of Police Officer/authorised person or Organisation and is required to be dealt with under the provisions of the Juvenile Justice Act, 1986.

You are therefore, called upon to produce forth with the Juvenile before the Board and to show cause why the Juvenile should not be dealt with as a neglected juvenile under the provisions of the Act and if it appears to the Board that the Juvenile is likely to be removed from ..... or to be concealed.

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

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

(Signature)  
Chairman,  
Juvenile Welfare Board.



## FORM XII

(See Rule-51)

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

Case No.

To,

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

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

(Signature)  
Chairman, Welfare Board.

## FORM XIII

(See Rule-51)

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

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

Whereas ..... residing at ..... under the actual charge or control of ..... is apparently neglected Juvenile and is required to be dealt with under the provisions of the Juvenile Justice 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...

Chairman, Juvenile Welfare Board.



## FORM XIV

(See Rule-51)

Report of the Probation officer for the purposes of sub-section (3) of section 16 or proviso to sub-section (2) section 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.

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

Place of residence.

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/is not attending his place of employment regularly ?

Whether the juvenile is not attending the attendance Centre ?

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

Name of the juvenile home/special home where the juvenile is recommended to be sent.

Date.

Signature of the  
Probation Officer.

## FORM XV

(See Rule - 51)

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

Whereas (name of the juvenile.....son/daughter of ..... aged resident of .....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 .....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)

Information of arrest of a Juvenile to the Probation Officer vide clause (b) of section 19 of the Juvenile Act, (1986)

Name of the juvenile .....

Age .....

Son/daughter of .....

Residing of .....

Under the case of .....

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 the observation Home .....

Date .....

Signature of the  
Officer in charge of the  
Police Station.

To, The Probation Officer .....

.....

.....

FORM XVII

(See Rule - 51)

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

(ORDER )

Competent authority .....

NO.

Whereas (name of the Juvenile) son/daughter of ..... resident of ..... was placed under the case of ..... under section ..... of the Juvenile Justice Act 1986 vide order under ..... date ..... and was further placed under the supervision of.....

(name of the Probation Officer)

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 .....be sent to the Juvenile Home/Special Home .....for a period of .....dated this .....day of ....19 ...

Signature  
Chairman, Juvenile Welfare Board  
Senior Magistrate, Juvenile Court.