

**CHAPTER IV**  
**CHILD WELFARE COMMITTEE**

**15. Composition and Qualifications of Members of the Committee. –**

- (1) There shall be one or more Committees in each district to be constituted by the State Government through a notification in the Official Gazette.
- (2) The Chairperson and members of the Committee shall be appointed by the State Government on the recommendation of the Selection Committee under **rule 87** of these rules.
- (3) The Chairperson and the members shall be above the age of thirty-five years and shall have a minimum of 3 years of experience of working with children in the field of education, health, or welfare activities, or should be a practicing professional with a degree in child psychology or psychiatry or social work or sociology or human development or in the field of law or a retired judicial officer.
- (4) A member of the Committee shall ordinarily be eligible for appointment of maximum of two consecutive terms.
- (5) All persons, on selection shall mandatorily be given training under **rule 89** within a period of sixty days from the date of appointment.
- (6) The Chairperson and the members may resign at any time by giving one month's notice in writing to the State Government.
- (7) Any vacancy in the Committee shall be filled by appointment of another person from the panel of names prepared by the Selection Committee.

**16. Rules and Procedures of Committee. –**

(1) The Chairperson and members of the Committee shall be paid such sitting allowance, travel allowance and any other allowance, as the State Government may prescribe but not less than Rs.1500 /- per sitting.

(2) A visit to an existing Child Care Institution by the Committee shall be considered as a sitting of the Committee.

(3) The Committee shall hold its sittings in the premises of a children's home or, at a place in proximity to the children's home or, at a suitable premises in any institution run under the Act for children in need of care and protection.

(4) The Committee shall ensure that no person(s) un-connected with the case remains present in the room when the session is in progress.

(5) The Committee shall ensure that only those person(s), in the presence of whom the child feels comfortable, shall be allowed to remain present during the sitting.

(6) At least one member of the Committee shall always be available or accessible to take cognizance of any matter of emergency and issue necessary directions to the Special Juvenile Police Unit or local police of the district. For this purpose the Chairperson of the Committee shall draw up a monthly duty roster of the Committee members who shall be available and accessible every day, including on Sundays and holidays. The roster shall be circulated in advance to all the police stations, the Chief Judicial Magistrate/Chief Metropolitan Magistrate, the District Judge, the District Magistrate, the Board, the District Child Protection Unit and the Special Juvenile Police Unit.

(7) The Committee shall sit on all working days for a minimum of six hours commensurate with the working hours of a magistrate court, unless the case pendency is less in a particular district and the State Government concerned issues an order in this regard:

Provided that the State Government may, by notification in the Official Gazette constitute more than one Committee in a district after giving due consideration to the pendency of the cases, area or terrain of the district, population density or any other consideration.

(8) On receiving information about a child or children in need of care and protection, who cannot be produced before the Committee, the Committee shall reach out to the child or children and hold its sitting at a place that is convenient for such child or children.

(9) While communicating with the child, the Committee members shall use child friendly techniques through their conduct.

(10) The Committee shall hold its sittings in child-friendly premises which shall not look like a court room in any manner and the sitting arrangement should be such to enable the Committee to interact with the child face to face.

(11) The Committee shall not sit on a raised platform and there shall be no barriers, such as witness boxes or bars between the Committee and the children

(12) The Committee shall be provided infrastructure and staff by the State Government.

**17. Additional Functions and Responsibilities of the Committee.** -In addition to the functions and responsibilities of the Committee under section 30 of the Act, the Committee shall perform the following functions to achieve the objectives of the Act, namely:

- (i) document and maintain detailed case record along with a case summary of every case dealt by the Committee in **Form 15**;
- (ii) maintain a suggestion box or grievance redressal box at a prominent place in the premises of the Committee to encourage inputs from children and adults alike which shall be operated by the District Magistrate or his nominee;
- (iii) ensure smooth functioning of Children's Committees in the Child Care Institutions for children in need of care and protection within its jurisdiction, for realizing children's participation in the affairs and management of the said Child Care Institutions;
- (iv) review the Children's Suggestion Book at least once a month;
- (v) Send quarterly information in **Form 16** about children in need of care and protection received by it to the District Magistrate with all relevant details on nature of disposal of cases, pending cases and reasons for such pendency and to Concerned State Government Department dealing with the implementation of ICPS under JJ Act;
- (vi) wherever required, issue rehabilitation card in **Form 14** to children in need of care and protection to monitor their progress;
- (vii) Maintain the following records in a register:
  - (a) entries of the cases listed in a day and next date and the Committee shall prepare a daily cause list of the cases before it;
  - (b) entries and particulars of children brought before the Committee and details of the Child Care Institution where the children are placed or the address where the children are sent;
  - (c) execution of bonds;
  - (d) movement including visits to institutions;

- (e) children declared legally free for adoption;
  - (f) children recommended for or placed in sponsorship;
  - (g) children placed in individual or group foster care;
  - (h) children transferred to or received from another Committee;
  - (i) children for whom follow up is to be done;
  - (j) children placed in after care;
  - (k) inspection record of the Committee;
  - (l) record of Minutes of the meetings of the Committee;
  - (m) correspondence received and sent;
  - (n) Any other record or register which the Committee may require.
- (viii) All information listed in clause (vii) of this rule may be digitised and a software may be developed by the State Government.
- (ix) The Committee shall, suomotu or on receipt of any information, complaint or otherwise, pertaining to any offence against a child, direct the police or the District Child Protection Unit to immediately take action for the rescue or recovery of such child from such situation, and to take further action including coordination with labor, health, social welfare and any other agencies involved with the care and protection of children;
- (x) The committee shall initiate action against any form of media, person or individual for publishing any matters relating to the children in need of care and protection, which would affect the best interest of the child.