

Do's and Don'ts for Person in Charge of Child Care Institution

The do's and don'ts listed in this document follow the Juvenile Justice (Care and Protection of Children) Act, 2015 and Model Rules, 2016.

Do's

I. General		
1.	Maintain the Child Care Institution (CCI) and provide care and protection to children	Rule 61 (1)
2.	Ensure registration of the CCI	Section 41, 42. Rule 21
3.	Keep a copy of the Act and Rules for ready reference for children and staff	Rule 29 (3)
4.	Ensure compliance with the provisions of the JJ Act, 2015 and JJ Model Rules, 2016, orders of the Board or the Committee or the Children's Court	Rule 61 (3) (i), 61 (3) (ii)
5.	Supervise and monitor discipline and well being of the children and the staff	Rule 61 (3) (v), 61 (3) (xiii), 61 (3) (xiv), 61 (3) (xxiv), 66, 67 (5), 70.
6.	Plan, implement and coordinate all activities, programmes and operations	Rule 61 (3) (vi)
7.	Ensure the production of the child before the Board or the Committee or the Children's Court on the date of such a production and ensure that the dates for the said purpose are recorded	Rule 61 (3) (xii), 61 (3) (xxxii)
8.	Employ appropriate security measures	Rule 61 (3) (xxi), 67, 68
9.	Take prompt action to meet emergencies	Rule 61 (3) (xxiii), 61 (3) (xviii), 29 (10)
10.	Ensure proper and timely maintenance of case files	Rule 61 (3) (xxv), 61 (3) (xxvi), 61 (3) (xxvii), 77
11.	Organise and provide necessary support for meetings of the Management Committee set up to monitor the progress of every child	Rule 61 (3), (xxiv), 61 (3) (xxviii), 29 (4), 39
12.	Liaise, co-ordinate and co-operate with the State Child Protection Society and the District Child Protection Unit as and when required	Rule 61 (3) (xxx), 61 (3) (xxxi)

Do's

13.	Inspect the CCI at least twice a day without having fixed timings for making observations at such inspections	Rule 61 (4)
14.	Make surprise visits to the CCI during the night as frequently as possible but not less than once a week	Rule 61 (3) (xxii), 61 (5), 61 (6), 67 (7)
15.	Encourage active involvement of the local community and corporate houses in improving the condition of the institution or support children	Rule 78 (3)
16.	Stay within the institution. If the person-in-charge is unable to stay, a senior staff member will stay in the institution, supervise the care of the children, and make decisions in times of crisis	Rule 61 (2)
II. With regard to children		
1.	CCIs should be child-friendly, and not look like a jail or lock up	Rule 29 (2), 61 (3) (iii)
2.	Strive for the development and welfare of the children	Rule 61 (3) (iv)
3.	Segregate a child suffering from contagious or infectious diseases on the advice of the medical officer of the institution	Rule 61 (3) (vii), 61 (3) (viii)
4.	Ensure observance and follow-up of daily routine activities; organise local and national festivals, and other recreational activities in the institution.	Rule 61 (3) (ix), 32, Rule 69 (L), 61 (3) (x), 61 (3) (xi), 38.
5.	Provide adequate physical infrastructure as prescribed under the Act and Rules	Rule 29 (8), 29 (9), 29 (10), 29 (11), 29 (12), 31, 30, 33, 34, 35, 61 (3) (xv), 61 (3) (xvi), 61 (3) (xvii), 61 (3) (xix), 61 (3) (xx), 67 (11)
6.	Provide age and ability appropriate education, vocational training to all children inside and outside institution as per requirement	Rule 36, 37
7.	Every child shall be received by person-in-charge of the CCI	Rule 69 (A) (1)
8.	Be satisfied with regard to the identity of the child. If in doubt, inform and produce the child before the the JJB or CWC	Rule 69 (A) (2)
9.	Deal with violation of any behaviour by any child giving due consideration to the recommendation of CWC, and safety and dignity of the child. Seek assistance of counsellor, welfare officer, case worker, or NGO if need be	Rule 69 (M) (4), 69 (M) (5), 69 (N), 67 (6)
10.	Reward children displaying exceptionally good behaviour	Rule 69 (M) (6), 69 (O), 69 (P)
11.	When a child complains of a medical or any other problem at night and it appears to be an emergency, the person-in-charge should take immediate and appropriate steps	Rule 67 (5)
12.	May conduct searches and seize prohibited articles	Rule 68, 71, 72

Do's

13.	In case of the unnatural death of a child in a CCI, the institution must ensure that an inquest and post-mortem examination is held at the earliest and follow other procedures laid down in the Rules	Rule 75
14.	May make temporary alteration in the scale of diet in individual cases when considered necessary by him or on the advice of the doctor	Rule 33
15.	Facilitate setting up of children's committee and its operation	Rule 40
16.	Keep records of child in conflict with law in safe custody until the expiry of the period of appeal or for a period of seven years. Thereafter the record should be destroyed by the person-in-charge, Board and Children's Court	Rule 14
17.	Maintain a roster of the cases of children to be released on the expiry of the period of stay as ordered by the Board or the Committee or the Children's Court	Rule 79
18.	Inform magistrate about a child living in the CCI who is about to complete 18 years of age for financial support in order to facilitate the child's re-integration into mainstream society	
19.	Allow a child to meet and communicate with a legal counsel	Rule 74 (15)
III. With regard to staff		
1.	In a CCI for girls, the person-in-charge and staff will be women	Rule 26 (4)
2.	Ensure that a sufficient number of guards are present at all times and identify shifts after consulting the security-in-charge and the department	Rule 67 (5)
3.	In case of violence or disturbance in the CCI, on request of shift-in-charge staff may permit assistance of police	Rule 67 (8)
4.	When on leave or otherwise not available he / she shall designate a child welfare officer to perform his / her duties	Rule 61 (7)
IV. With regard to parents and guardians of children		
1.	May allow parents to enter and meet their children in the CCI premises	Rule 74
2.	Newly received children shall be permitted to meet, write to, and speak to parents as per rules	Rule 74
V. Visitors		
1.	May allow voluntary organisations, social workers, researchers, doctors, academicians, and such other persons as the management committee may permit or consider appropriate, keeping the security, welfare and the interest of the children in mind	Rule 78
2.	Shall maintain a visitors' book to record remarks of visitors	Rule 78

Don'ts

I. With regard to children		
1.	Should not disclose any information about any child to the media, which may lead to identification of a child unless it is in the best interest of the child and with prior written permission from JJC / CWC	Section 74
2.	Should not allow a child to travel alone for any vocational training held outside the CCI. Proper security planning and services should be made and an escort must be provided	Rule 37 (3)
3.	Should not cause a child unnecessary mental or physical suffering due to any form of assault, abuse, abandonment, exposure or wilful neglect	Rule 76
4.	Should not allow any intoxicating liquor or narcotic drug or tobacco products or psychotropic substance except on the order of a duly qualified medical practitioner	Rule 35 (7)
5.	Should not give or receive any orphan, abandoned or surrendered child without following the legal procedure. Inform the police and the CWC within 24 hours with necessary information in Form 17	Rule 19 (25)
6.	Should not subject a child to corporal punishment with the aim to discipline	Rule 69 (N) (2)
7.	Should not buy or sell a child for any purpose	Section 81
8.	No surgery should be conducted on a child of the CCI without obtaining consent of the person-in-charge	Rule 34 (3) (x)
II. Staff		
1.	Should not allow medication for a mental health problem without a psychological evaluation and diagnosis by a trained mental health professional	Rule 35 (7)
III. Parents		
1.	Parents or a guardian who has subjected the child to violence will not be allowed to meet the child	Rule 74 (3)
2.	Should not fail to inform parents or a guardian of a child about the release of a child (the exact date of release of the child from the CCI) in order to take charge of the child on that date. If necessary, the person-in-charge should pay the parents or guardian for the to and fro journey	Rule 79
IV. Visitors		
1.	Should not allow visitors who behave in a non-dignified manner with children	Rule 74 (8)

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CCI - Child Care Institution
CWC - Child Welfare Committee
JJB - Juvenile Justice Board
DLSA - District Legal Services Authority

SLSA - State Legal Services Authority
JJ Act - Juvenile Justice (Care and Protection of Children) Act, 2015
JJ Rules - Juvenile Justice (Care and Protection of Children) Model Rules, 2016