Appendix

Appendix A

The Children's Statement

We are the world's children.
We are the victims of exploitation and abuse.
We are street children.
We are the children of war.
We are the victims and orphans of HIV/AIDS
We are denied good-quality education and health care.
We are victims of political, economic, cultural, religious and environmental discrimination.
We are children whose voices are not being heard - it is time we are taken into account.
We want a world fit for children, because a world fit for us is a world fit for everyone.

- The Children's Statement -

Address at the opening of the U.N. Gen. Ass. Spl. Session on children, 8 May, 2002

United Nations Special Session on children and the world fit for children Declaration (10 May 2002)

A world fit for children acknowledges the convention on the rights of the child and its optional protocols as a comprehensive set of International Legal Standards for the protection and well being of children. It stresses a global commitment to sustainable human development, taking into account the best interests of the child and the university, indivisibility and interdependence of all human rights, including the right to development. It
Appendix calls on all members of society to join in a global movement to help build a world fit for children through a commitment to a set of 10 key principles and objectives -----

-------- Best interest of children - Ten imperatives -------

(Ten ways to change the world with children)

1. **Leave no child out**: All forms of discrimination and exclusion against children must end.
2. **Put children first**: It is the responsibility of everyone - Govts., individuals, NGOS, religious groups, the private sector and children and adolescents themselves-to ensure that childrens rights are respected.
3. **Care for every child**: Ensure all children the best possible start in life.
4. **Fight HIV / AIDS**: Protect children and adolescents and their families.
5. **Stop Harming and exploiting children**: Violence and abuse must be stopped now. And the sexual and economic exploitation of children must end.
6. **Listen to children**: Respect the rights of children and young people to express themselves and to participate in making the decisions that affect them.
7. **Educate every child**: Every child - all girls and boys-must be allowed to learn.
8. **Protect children from war**: No child should experience the harms of armed conflict.
9. **Protect the Earth for children**: Safeguard the environment at global, national and local levels.
10. **Fight poverty**: Invest in children: Invest in services that benefit the poorest children and their families, such as basic health care and primary education. Make the well being of children a priority objective of debt relief programmes, development assistance and government spending.
Appendix B


(some related articles)

PREAMBLE

The state parties to the present convention,

Considering that in accordance with the principles proclaimed in the charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Bearing in mind that the peoples of the United Nations have, in the charter, reaffirmed their faith in fundamental human rights and in the dignity and worth of the human person and have determined to promote social progress and better standards of life in larger freedom,

Recognising that the United Nations has, in the Universal Declaration of Human Rights and in the International Convenants on Human Rights proclaimed and agreed that everyone is entitled to all the rights and freedom set forth therein, without distinction of any kind such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling that in the UDHR the UN has proclaimed that childhood is entitled to special care and assistance,

Convinced that the family as the fundamental group of society and the natural environment for the growth and wellbeing of all its members and particularly children, should be afforded the necessary protection and assistance, so that it can fully assume its responsibilities within the community,

Recognising that the child, for the full and harmonious development
of his or her personality, should grow up in a family environment, in the atmosphere of happiness, love and understanding,

Considering that the child should be fully prepared to live an individual life in society, and brought up in the spirit of the ideals proclaimed in the charter of the United Nations and in particular in the spirit of peace, dignity, tolerance, freedom, equality and solidarity,

Bearing in mind that the need to extend particular care to the child has been stated in the Geneva Declaration of the rights of the child of 1924 and in the Declaration of the rights of the child adopted by the General Assembly on 20 Nov. 1959 and recognised in the UDHR in the International covenant on civil and political rights (in particular in articles 23 & 24), in the International covenant on Economic, Social and Cultural Rights (in particular in article 10) and in the Statutes and relevent instruments of specialised agencies and international organisations concerned with the welfare of the children,

Bearing in mind that as indicated in the Declaration of the Rights of the Child, the child by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection before as well as after birth,

Recalling the provisions of the Declaration on Social and Legal principles relating to the protection and welfare of children with special reference to foster placement and adoption Nationally and Internationally; the UN standard minimum rules to the administration of Juvenile Justice (the Beijing Rules); and the Declaration on the protection of women and children in Emergency and Armed conflicts,

Recognising that in all countries in the world, there are children living in exceptionally difficult conditions, and that such children need special consideration,
Taking due account of the importance of the traditions and cultural values of each people for the protection and harmonious development of the child, recognising the importance of international cooperation for improving the living conditions of children in every country in particular in the developing countries,

Have agreed as follows :

**PART I**

**Article 1:** for the purpose of the present convention, a child means every human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier.

**Article 3:**

1. ..... 

2. ..... 

3. State parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall confirm with the standards established by competent authorities, particular in the areas of safety, health in the number and suitability of their staff, as well as competent supervision.

**Article 6:** 1. State parties recognize that every child has the inherent right to life.

2. State parties shall ensure to the maximum extent possible the survival and development of the child.

**Article 9:** 1. State parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. Such determination may be necessary in a particular case such as one involving
abuse or neglect of the child by the parents or one where the parents are living separately and a decision must be made as to the child's place of residence.

2. In any proceedings pursuant to paragraph 1 of the present article, all interested parties shall be given an opportunity to participate in the proceedings and make their views known.

3. State parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests.

4. Where such separation results from any action initiated by a state party, such as the detention, imprisonment, exile, deportation or death (including death arising from any cause while the person is in the custody of the state) of one or both parents or of the child, that state party shall, upon request provide the parents, the child, or if appropriate another member of the family with the essential information concerning the whereabouts of the absent member(s) of the family unless the provision of the information would be detrimental to the well being of the child. State parties shall further ensure that the submission of such a request shall of itself entail no adverse consequences for the person(s) concerned.

**Article 12.** 1. State parties shall assure to the child who is capable of forming his or her own views, the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.
Article 19. 1. State parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation including sexual abuse while in the case of parent(s), legal guardian(s) or any other person who has the care of the child.

2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow up of instances of child maltreatment described heretofore and as appropriate, for judicial involvement.

Article 20. 1. A child temporarily and permanently deprived of his or her family environment or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the state.

2. State parties shall in accordance with their national laws ensure alternative care for such a child.

3. Such care should include, inter alia, foster placement, Kafalah of Islamic law, adoption or if necessary placement in suitable institutions for the care of children. When considering solutions, due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

Article 28. 1. State parties recognise the right of the child to education with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

(a) make primary education compulsory and available free to all,
(b) encourage the development of different forms of secondary education including general and vocational education make them available and accessible to every child and take appropriate measures such as the introduction of free education and offering financial assistance in case of need,

(c) make higher education accessible to all on the basis of capacity by every appropriate means;

(d) make educational and vocational information and guidance available and accessible to all children,

(e) take measures to encourage regular attendance at schools and the reduction of drop-out rates.

2. State parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present convention.

3. State parties shall promote and encourage international cooperation in matters relating to education in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

**Article 36.** State parties shall protect the child against all other forms of exploitation prejudicial to any aspect of the child's welfare.

**Article 39.** State parties shall take appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of any form of neglect, exploitation or abuse, torture or any other form of cruel, inhuman or degrading treatment or punishment or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self respect and dignity of the child.
Article 40. 1. State parties recognise the right of every child alleged as, accused of, or recognised as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructing role in the society.

2. To this end and having regard to the relevant provisions of international instruments, state parties shall, in particular, ensure that;

(a) no child shall be alleged as be accused of, or recognised as having infringed the penal law by reason of acts or omissions that were not prohibited by national or international law at the time they were committed.

(b) every child alleged as or accused of having infringed the penal law has at least the following guarantees:

(i) to be presumed innocent until proven guilty according to law

(ii) to be informed promptly and directly of the charges against him/her and if appropriate through his/her parents or local guardians and to have legal or other appropriate assistance in the preparation and presentation of his or her defence.

(iii) to have the matter determined without delay by a competent independent and impartial authority or judicial body in a fair hearing according to law, in the presence of legal or other appropriate assistance and unless it is considered not to be in the best interest of the child, in particular, taking into account his or her age or situation, his or her parents or legal guardians

(iv) not to be compelled to give testimony or to confess guilt, to examine or have examined adverse witnesses and to obtain the participation and examination of witness or his or her behalf under condition of equality
(v) if considered to have infringed the penal law, to have this decision and any measures imposed in consequence thereof reviewed by a higher competent, independent and impartial authority or judicial body according to law.

(vi) to have the free assistance of an interpreter if the child cannot understand or speak the language used.

(vii) to have his or her privacy fully respected at all stages of the proceedings.

3. State parties shall seek to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of or recognised as having infringed the penal law and in particular.

(a) the establishment of minimum age below which children shall be presumed not to have the capacity to infringe the penal law

(b) whenever appropriate and desirable measures for dealing with such children without resorting to judicial proceedings, providing that human rights and safeguards are fully respected.

4. A variety of dispositions such as care, guidance and supervision orders, counselling, probation, foster care, education and vocational training programmes and other alternatives to institutional care shall be available to ensure that children are dealt with in a manner appropriate to their well being and proportionate both to their circumstance and the offence.
Appendix C


(Recommended for adoption by the 7th U.N. Congress on the prevention of crime and the treatment of offenders held at Milan from 26-8 to 6-9, 1985 and adopted by Gen. Ass. Resolution 40/33 of 29th November 1985)

Juveniles and their Rights

Pt. I General Principles

1. Fundamental Perspectives

1.1 Member states shall seek in conformity with their respective general interest to further the wellbeing of the juvenile and her/his family.

1.2 Member states shall endeavour to develop conditions that will ensure for the juvenile a meaningful life in the community which during that period in life when she/he is most susceptible to deviant behaviour will foster process of personal development and education that is as free from crime and delinquency as possible.

1.3 Sufficient attention shall be given to positive measures that involve the full mobilisation of all possible resources including the family, volunteers and other community groups as well as schools and other community institutions for the purpose of promoting the well being of the juvenile with a view to reducing the need for intervention under the law and of effectively, fairly and humanely dealing with the juvenile in conflict with the law.

1.4 Juvenile justice shall be conceived as an integral part of the national development process of each country, within a comprehensive framework of social justice for all juveniles thus at the same time contributing to the protection of the young and the maintenance of a peaceful order in society.
1.5 These rules shall be implemented in the context of economic, social and cultural conditions prevailing in each member state.

1.6 Juvenile justice services shall be systematically developed and co-ordinated with a view to improving and sustaining the competence of personnel involved in the services, including their methods, approaches and attitudes.

2. Scope of the rules and definitions used

2.1 The following minimum standard rules shall be applied to juvenile offenders impartially, without distinction of any kind. For example as to race, color, sex, language, religion, political or other options, national or social origin, property or birth.

2.2 For purposes of these rules the following definitions shall be applied by member states in a manner which is compatible with their respective legal system and concepts -

(a) A juvenile is a child or young person who, under the respective legal systems, may be dealt with for an offence in a manner which is different from an adult.

(b) An offence is any behaviour (act/omission) that is punishable by law under the respective legal systems.

(c) A juvenile offender is a child or young person who is alleged to have committed or who has been found to have committed an offence.

2.3 Efforts shall be made to establish in each national jurisdiction, a set of laws, rules and provisions specifically applicable to juvenile offenders and institutions and bodies entrusted with the functions of the administration of juvenile justice and designed -

(a) to meet the varying needs of juvenile offenders while protecting their basic rights;
(b) to meet the needs of society;
(c) to implement the following rules thoroughly and fairly

3. Extension of the rules

3.1 The relevant provisions of the rules shall be applied not only to juvenile offenders but also to juveniles who may be proceeded against for any specific behaviour that would not be punishable if committed by an adult.

3.2 Efforts shall be made to extend the principles embodied in the rules to all juveniles who are dealt with the welfare and care proceedings.

3.3 Efforts shall also be made to extend the principles embodied in the rules to young adult offenders.

4. Age of criminal responsibilities

4.1 In those legal systems recognising the concept of the age of criminal responsibility for juveniles the beginning of that age shall not be fixed at too low an age level, bearing in mind the facts of emotional, mental and intellectual maturity.

5. Aims of Juvenile Justice

5.1 The juvenile justice system shall emphasize the well being of the juvenile and shall ensure that any reaction of juvenile offenders shall always be in proportion to the circumstances of both offenders and the offence.

6. Scope of discretion

6.1 In view of the varying special needs of juveniles as well as the variety of measures available, appropriate scope for discretion shall be allowed at all stages of proceeding and at the different levels of Juvenile justice administration, including investigation, prosecution, adjudication and the follow up of dispositions.

6.2 Efforts shall be made however, to ensure sufficient accountability at all stages and levels in the exercise of any such discretion.
6.3 Those who exercise discretion shall be specially qualified or trained to exercise it judiciously and in accordance with their functions and mandates.

7. Rights of the juveniles

7.1 Basic procedural safeguards such as the presumption of innocence, the right to be notified of the charges, the right to remain silent, the right to compel, the right to the presence of a parent/guardian, the right to confront and cross examine witnesses and the right to appeal to a higher authority shall be guaranteed at all stages of proceedings.

8. Protection of privacy

8.1 The juveniles right to privacy shall be respected at all stages in order to avoid harm being caused to her/him by undue publicity or by the process of labelling.

8.2 In principale, no information that may lead to the identification of a juvenile offender shall be published.

9. Saving clause

9.1 Nothing in these rules shall be interpreted as precluding the application of the standard minimum rules for the treatment of prisoners adopted by the U.N. and other human rights instruments and standards recognised by the international community that relate to the care and protection of the young.

Pt. II Investigation and Prosecution

10. Initial contact

10.1 Upon the apprehension of a juvenile her/his parents/guardians shall be immediately notified of such apprehension and where such immediate notification is not possible the parents/guardians shall be notified within the shortest possible time thereafter.
10.2 A judge or other competent official or body shall without delay consider the issue of release.

10.3 Contacts between the law enforcement agencies and a juvenile offender shall be managed in such a way as to respect the legal status of the juvenile, promote the well-being of a juvenile and avoid harm to her/him with due regard to the circumstances of the case.

11. Diversion

11.1 Consideration shall be given, wherever appropriate to dealing with juvenile offenders without resorting to formal trial by the competent authority, referred to in Rule 14.1 below.

11.2 The police, the prosecution of other agencies dealing with juvenile cases shall be empowered to dispose of such cases, at their discretion, without recourse to formal hearings in accordance with the criteria laid down for that purpose in the respective legal system and also in accordance with the principles contained in these rules.

11.3 Any diversion involving referral to appropriate community or other services shall require the consent of the juvenile or her/his parents or guardians, provided that such decision to refer a case shall be subject to review by a competent authority upon application.

11.4 In order to facilitate the discretionary disposition of juvenile cases, efforts shall be made to provide for community programmes such as temporary supervision and guidance and compensation of victims.

12. Specialisation within the police

12.1 In order to best fulfill their functions, police officers who frequently or exclusively deal with juveniles or who are primarily engaged in the prevention of juvenile crime shall be specifically instructed and trained. In large cities, special police units should be established for that purpose.
13. Detention pending trial

13.1 Detention pending trial shall be used only as a measure of last resort and for the shortest possible period of time.

13.2 Whenever possible, detention pending trial shall be replaced by alternative measures such as, close supervision, intensive care or placement within a family or in an educational setting home.

13.3 Juveniles under detention pending trial shall be entitled to all rights and guarantees of the standard minimum rules for the treatment of prisoners adopted by the U.N.

13.4 Juveniles under detention pending trial shall be kept separate from adults and shall be detained in a separate institution or in a separate part of an institution also holding adults.

13.5 While in custody, juveniles shall receive care, protection and all necessary individual assistance in social educational, vocational, psychological, medical and physical and that may require in view of their age, sex and personality..

Pt. III Adjudication and disposion

14. Competent Authority to adjudicate

14.1 Where the case of a juvenile offender has not been diverted (under rule 11). She/he shall be dealt with by the competent authority (court, tribunal, board, council etc.) according to the principles of fair and just trial.

14.2 The proceedings shall be conducive to the best interests of the juvenile and shall be conducted in an atmosphere of understanding which shall allow the juvenile to participate therein and to express herself/himself freely.

15. Legal counsel, parents and guardians

15.1 Throughout the proceedings the juvenile shall have the right to be
represented by a legal advisor or to apply for free legal aid where there is provision for such aid in the country.

15.2 The parents/guardians shall be entitled to participate in the proceedings and may be required by the competent authority to attend them in the interest of the juvenile. They may, however, be denied participation by the competent authority if there are reasons to assume that such exclusion is necessary in the interest of the juvenile.


16.1 In all cases, except those involving minor offences before the competent authority, renders a final disposition prior to sentencing the background and circumstances in which the juvenile is living or the conditions under which the offence has been committed shall be properly investigated so as to facilitate judicious adjudication of the case by the competent authority.

17. Guiding principles in adjudication and disposition

17.1 The disposition of the competent authority shall be guided by the following principles -

(a) The reaction taken shall always be in proportion not only to the circumstances and the gravity of the offence but also to the circumstances and the needs of the juvenile as well as to the needs of the society.

(b) Restrictions on the personal liberty of the juvenile shall be imposed only after careful consideration and shall be limited to the possible minimum.

(c) Deprivation of the personal liberty shall not be imposed unless the juvenile is adjudicated of a serious act involving violence against another person or of persistence in committing other serious offences and unless there is no other appropriate response;

(d) The well-being of the juvenile shall be the guiding factor in the consideration of her or his case.
17.2 Capital punishment shall not be imposed for any crime committed by juveniles.

17.3 Juveniles shall not be subject to corporal punishment.

18 Various disposition measures

18.1 A large variety of disposition measures shall be made available to the competent authority, allowing for flexibility so as to avoid institutionalisation to the greatest extent possible such measures, some of which may be combined include -

(a) Care, guidance and supervision orders (b) probation (c) Community service orders (d) financial penalties, compensation and restitution (e) Intermediate treatment and other treatment orders (f) Orders to participate in group counselling and similar activities (g) Orders concerning foster care, living communities or other educational settings (h) Other relevant orders.

18.2 No juvenile should be removed from parental supervision, whether partly or entirely, unless the circumstances of her/his case make this necessary.

19. Least possible use of Institutionalization

19.1 The placement of juvenile in an institution shall be a disposition of last resort and for the minimum necessary period.

20. Avoidance of unnecessary delay

20.1 Each case shall from the outset be handled expeditiously without any unnecessary delay.

21. Records

21.1 Records of juvenile offenders shall be kept strictly confidential and closed to third parties. Access to such records shall be limited to persons directly concerned with the disposition of the case at hand or other duly authorised persons.

21.2 Records of juvenile offenders shall not been used in adult proceedings in subsequent cases involving the same offender.
22. Need for professionalism and training

22.1 Professional education in service, training refresher courses and other appropriate modes of instruction shall be utilized to establish and maintain the necessary professional competence of all personnel dealing with juvenile cases.

22.2 Juvenile justice personnel shall reflect the diversity of juveniles who came into contact with the juvenile justice system. Efforts shall be made to ensure the fair representation of women and minorities in juvenile justice agencies.

Pt. IV Non-Institutional Treatment

23. Effective Implementation of Disposition

23.1 Appropriate provisions shall be made for the implementation of orders of the competent authority as referred to in Rule 14.1 above by that authority itself or by some other authority as circumstances may require.

23.2 Such provisions shall include the power to modify the orders as the competent authority may deem necessary from time to time provided that such modification shall be determined in accordance with the principles contained in these rules.

24. Provision of Needed Assistance

24.1 Efforts shall be made to provide juveniles, at all stages of the proceedings, with necessary assistance, such as, lodging, education or vocational training, emplacement or any other assistance, helpful and practical in order to facilitate the rehabilitative process.

25. Mobilisation of volunteers and other community services

25.1 Volunteers, voluntary organisation, local institutions and other community resources shall be called upon to contribute effectively to the rehabilitation of the juvenile in a community setting and as far as possible, within the family unit.
Pt. V Institutional Treatment

26. Objectives of Institutional Treatment

26.1 The objective of training and treatment of juveniles placed in institutions is to provide care, protection, education and vocational skills with a view to assisting them to assume socially constructive and productive roles in society.

26.2 Juveniles in institutions shall receive care protection and all necessary assistance, social, educational, psychological, medical and physical that they may require because of their age, sex and personality and in the interest of their wholesome development.

26.3 Juvenile in institutions shall be kept separate from adults and shall be detained in a separate institutions or in a separate part of an institution also holding adults.

26.4 Young female offenders placed in an institution deserve special attention as to their personal needs and problems. They shall be no means receive less, care, protection, assistance, treatment and training than young male offenders. The fair treatment to them shall be ensured.

26.5 In the interest and well-being of the institutionalised juveniles, the parents or guardians shall have a right of access.

26.6 Inter-ministerial and inter-departmental cooperation shall be fostered for the purpose of providing adequate academic or as appropriate, vocational training to institutionalised juveniles, with a view to ensuring that they do not leave the institution at an educational disadvantage.


27.1 The standard minimum rules for the treatment of prisoners and related recommendations shall be applicable as far as relevant to the treatment
of juvenile offenders in institutions including those in detention pending adjudication.

27.2 Efforts shall be made to implement the relevant principles laid down in the standard minimum rules for the treatment of prisoners to the largest possible extent so as to meet the varying needs of juveniles specific to their age, sex and personality.

28. Frequent and Early Resource to Conditional Release

28.1 Conditional release from an institution shall be used by the appropriate authority to the greatest possible extent and shall be granted at the earliest possible time.

28.2 Juveniles released conditionally from an institution shall be assisted and supervised by an appropriate authority and shall receive full support by the community.

29. Semi institutional Arrangements

29.1 Efforts shall be made to provide semi-institutional arrangements such as half-way houses, educational homes, day time training centres and other such appropriate arrangements that may assist juveniles in their proper reintegration into society.

Pt. VI Research for planning policy formulations and evaluation

30. Research for planning, policy formulation and evaluation

30.1 Efforts shall be made to organise and promote necessary research as a basis for effective planning and policy formulation.

30.2 Efforts shall be made to review and appraise periodically the trends, problems and causes of juvenile delinquency and crime as well as the varying particular needs of juveniles in custody.

30.3 Efforts shall be made to establish a regular evaluative research mechanism built into the system of juvenile justice administration and to collect
and analyse relevant data and information for appropriate assessment and future improvement and reform of the administration.

30.4 The delivery of services in juvenile justice administration shall be systematically planned and implemented as an integral part of national development efforts.
Appendix D

U. N. Declaration of the Rights of the Child, 1959

[Declaration as adopted by the Gen. Ass. of the United Nations on 20th Nov., 1959]

Principle 1  The child shall enjoy all the rights without discrimination on account of race, colour, sex, language, religion, political and other opinion.....

Principle 2  The child shall enjoy special protection and shall be given opportunities and facilites by law and by other means to enable him to develop physically, mentally, morally, spiritually and socially in a healthy and normal manner and in conditions of freedom and dignity. In the enactment of laws for this purpose, the best interests of the child shall be the paramount consideration.

Principle 3  The child shall be entitled from his birth to a name and a nationality.

Principle 4  The child shall enjoy the benefits of social security. He shall be entitled to grow and develop in health...... The child shall have the right to adequate nutrition, housing, recreation and medical services.

Principle 5  The child who is physically, mentally or socially handicapped shall be given the special treatment, education and care.

Principle 6  The child...... needs love and understanding. He shall grow up in the care and under the responsibility of his parents...... a child of tender years shall not....... be separated from his mother.

Principle 7  The child is entitled to receive education, which shall be free
Appendix

and compulsory at least in the elementary stage...... The child shall have full opportunity to play and recreation....

**Principle 8**  The child shall in all circumstances be among the first to receive protection and relief.

**Principle 9**  The child shall be protected against all forms of neglect, cruelty and exploitation. The child shall not be the subject of traffic in any form. The child shall not be admitted to employment before an appropriate age. He shall in no case be caused or permitted to engage in any occupation or employment which would prejudice his health or education, interfere with his physical, mental or moral development.

**Principle 10**  The child shall be protected from practices which may foster racial, religious and any other forms of discrimination. He shall be brought up in a spirit of understanding, tolerance, friendship among peoples, peace and universal brotherhood and in full consciousness that his energy and talents should be devoted to the service of his fellowmen.
Appendix E

India's National Policy for Children 22/08/1974

It shall be the policy of the state to provide adequate services to children to ensure their full physical, mental and social development. The following measures shall be adopted -

1) All children shall be covered by a comprehensive health programme.
2) Programmes shall be implemented to provide nutrition services and removing deficiencies in their diet.
3) Programmes shall be undertaken for general improvement of health, care, nutrition etc. of expectant and nursing mothers.
4) The state shall take steps to provide free and compulsory education for below fourteen children.
5) Children who are unable to take formal school education shall be provided other suitable form of education.
6) Physical education, Games, Sports, Recreational, Cultural and Scientific activities shall be provided in every school.
7) Special assistance shall be provided to SC/ST children both in urban and rural areas.
8) Socially handicapped and delinquent children shall be provided with education, training and rehabilitations.
9) Children shall be protected against neglect, cruelty and exploitation.
10) No child under 14, shall be permitted to be engaged in any Hazardous occupation or in heavy work.
11) Facilities shall be provided for special treatment, education, rehabilitation and care of children who are physically handicapped, emotionally disturbed or mentally retarded.
12) Children shall be given priority for protection and relief in times of distress or natural calamity.

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(Source: Compiled and Computed from Maharashtra Population Tables)
### Apendix G

**Maharastra State List of Juvenile Care and Protection Institutes**

(A) Governmental Institutes

I) Statistical Information Received

<table>
<thead>
<tr>
<th>Name and Address</th>
<th>Intake capacity</th>
<th>Actual No. of admissions (maximum)</th>
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<td>1) Govt. (Boys) observation Home/Childrens Home Pinguli (Sindhudurg)</td>
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<td>4) Govt. (Boys) Observation Home/Balgraha, 11, Gowardhan Bldg., MIDC Rd., Gadchiroli</td>
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<td>5) Govt. (Boys) Observation Home/Children's Home, Near Asha Talkies, Bid.</td>
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II) Statistical Information not supplied to the researcher

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<td>7) Govt. (Girls) Observation Home/Children's Home, Gattge Nagar, Amravati</td>
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<td>8) Govt. (Boys) Observation Home/Children's Madhav Nagar, Akola.</td>
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### Appendix

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#### (B) Institutes run by Voluntary Organisations

1. **I) Working for non-delinquents - (Response given to the researcher)**

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19) People's Edu. Society's Disha (Girls) Observation Home, Almada Plot, Washim

20) Vasundhara Seva, Savitribai Phule (Girls) Observation Home, Ambejogai (Bid)

II) Response not given to the researcher

21) Children Aid Society's (Boys) Observation Home, Umarkhadi (Mumbai)

22) Children Aid Society's (Girls) Observation Home, Umarkhadi (Mumbai)

23) Children Aid Society's (Boys-New) Observation Home, Mankhurd (Mumbai)

24) Children Aid Society's (Boys-Addll) Observation Home, Mankhurd (Mumbai)

25) District Probation & After Care organisation (Boys) Observation Home, Bhivandi (Thane)

26) District Probation & After Care Organisation (Girls) Observation Home, Bhivandi (Thane)

27) District Probation & After Care Organisation Karjat (Raigad)

28) District Probation & After Care Organisation Ratnagiri

29) Late (Smt.) Tendulkar (Girls) Observation Home, Langa (Ratnagiri)

30) District Probation & After Care Organisation (Boys) Observation Home, Shivaji Nagar, Pune
### Appendix

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<td>Children's Home, Bhandara</td>
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55) District Probation & After Care Observation 50 -
    (Boys) Home, Basmat Rd., Parbhani

56) Baliram Naik Edu, Saraswati (Girls) Observation 50 -
    Home, Thapate Tanda, Hingoli

57) District Probation & After Care Observation 50 -
    (Boys) Home, Osmanabad

58) Sandhi Niketan Vadagaon's (Govt.) Boys 100 -
    Observation Home, Anandnagar, Nanded

59) District Probation & After Care Organisations 50 -
    (Boys) Observation/Children Home, Labour
    Colony, Latur

60) Ganesh Shikshan Ed.'s (Girls) Observation/
    Children's Home, MIDC Rd, Latur
## Appendix H

### Questionnaire circulated among Juvenile Care and Protection Institutes.

**Question 1:**

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### कोष्टक ४ : बालपुर्णिकांच्या आईव्यदील/पालकांच्या वार्षिक उत्पत्त तर निहाय संख्या

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### कोष्टक ५ : बालपुर्णिकांची व्ययार्थ व लिंग निहाय संख्या

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## कोष्टक ५: आपल्या संस्केत दाखल कायम्यात आलेल्या बालगुन्हेगारमधील गुन्हानिहाय आकडेवारी (संख्या)

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## वेळ आकडेवारी ऑड. स्वाति पण्डूरक, १६२, आर. के. नार, कोल्हापूर शहर ४१६ ०१३ वेळे भूसन पाठवली. संस्करण सही व शिक्षा
Appendix I

List of Juvenile Delinquency Legislations in India

A) State Acts

1) The Madras Borstals Schools Act, 1926
2) The Punjab Borstals Schools Act, 1926
3) The West Bengal Borstals Schools Act, 1928
4) The Central Province Borstals Schools Act, 1928
5) The Bombay Borstals Schools Act, 1929
6) The Uttar Pradesh Borstals Schools Act, 1938
7) The Mysore Borstals Schools Act, 1943
8) The Travancore Borstals Schools Act, 1945
9) The Kerala Borstals Schools Act, 1961
10) The Madras Children Act, 1920
11) The Bombay Children Act, 1924
12) The Central Province and Berar Children Act, 1928
13) The Bikaner Children Act, 1931
14) The Cochin Children Act, 1936
15) The Travancore Children Act, 1945
17) The Bombay Children Act, 1948
18) The East Punjab Children Act, 1949
19) The Hyderabad Children Act, 1951
20) The Uttar Pradesh Children Act, 1951
21) The Saurastra Children Act, 1954
22) The West Bengal Children Act, 1959
23) The Karnataka Children Act, 1964
24) The Mysore Children Act, 1964

**B) Central Acts**

1) The Borstal School and Reformatory Schools Act 1897


3) The Children (Amendment) Act 1978


Appendix J

List of Borstals and Correctional Institutes in Maharashtra

1) David Sasoon Industrial School, Mahim, Mumbai
2) Byramjee Jeegeebhoy Home, Mumbai
3) Shriskhanand Anath Mahilashram, Mumbai
4) Salvation Army Girls' Home, Sion, Mumbai
5) Happy Home for the Blinds, Mumbai
6) A.D. Bawla Muslim Girls' orphanage, Mumbai
7) Home for the mentally deficient children, Mumbai
8) St. Catholine Home, Andheri, Mumbai
9) Bombay State Women's Council Rescue Home, Mumbai
10) Chamber children Home, Mankind, Mumbai
11) Shelter run by Bombay vigilance Association, Mumbai
12) Hindu women's Rescue Home Society, Pune
13) Seva Sadan Home for the Homeless, Pune
14) Yeravada Industrial School, Pune
15) Hingane Stree shikshan Sanstha, Pune
16) Mundhawa Certified School for Girls, Pune
17) Certified Schools for Girls, Sirpur, Pune
18) Certified School, Solapur
19) Certified School, Malshiras, Solapur
20) W.B. Navarange orphanage, Pandharpur, Solapur
21) Seva Sadan Home for homeless, Nasik
22) Shri Chh. Shahu Boarding House, Satara
23) Laxmibai Patil Vasatigraha, Satara
Maharashtra - Chart showing Police Units

Police Units in Maharashtra.

Rural Range

1) Amravati Range -
   i) Akola
   ii) Amraoti Rural
   iii) Buldhana
   iv) Yeotmal
   v) Washim

2) Aurangabad Range -
   i) Aurangabad Rural
   ii) Jalna
   iii) Bid
   iv) Osmanabad

3) Nanded Range -
   i) Nanded
   ii) Latur
   iii) Parbhani
   iv) Hingoli

4) Kolhapur Range -
   i) Kolhapur

Urban Range

1) Mumbai City
   i) Mumbai Railways

2) Pune City
   ii) Pune Railways

3) Nagpur City
   iii) Nagpur Railways

4) Thane City

5) Solapur City

6) Nasik City

Railway Range

1) Mumbai City
   i) Mumbai Railways

2) Pune City
   ii) Pune Railways

3) Nagpur City
   iii) Nagpur Railways

4) Thane City

5) Solapur City

6) Nasik City
Appendix

ii) Pune - Rural

iii) Sangli

iv) Satara

v) Solapur Rural

5) Nagpur Range -
   i) Bhandara
   ii) Chandrapur
   iii) Gadchiroli
   iv) Nagpur - Rural
   v) Gondia
   vi) Wardha

6) Nasik Range -
   i) Ahmednagar
   ii) Dhule
   iii) Jalgaon
   iv) Nasik - Rural
   v) Nandushar

7) Thane Range -
   i) Thane - Rural
   ii) Sindhudurga
   iii) Ratnagiri
   iv) Raigad

Total 33 Rural

[Source : Crimes in Maharashtra CID MS Pune 5]
Appendix L

List of crime heads of Juvenile of which Statistical Information is collected from State Crime Records Bureau - C.I.D. Maharastra State Pune 411005

Cognizable Crimes

Under I.P.C.
1) Murder
2) Attempt to Commit murder
3) Ch. not amounting to murder
4) Rape -a) custodial rape
   b) other rape
5) Kidnapping and abduction
   a) of Women & Girls
   b) of others
6) Dacoity
7) Preparation & assembly for dacoity
8) Robbery
9) Bulglary
10) Theff - a) Auto theft
    b) other theft
11) Riots
12) Criminal breach of trust
13) Cheating
14) Counterfeiting

Under S.L.L.
1) Arms Act
2) Narcotics, Drugs & Psy Sub Act
3) Gambling Act
4) Excise Act
5) Prohibition Act
6) Explosive Substance Act
7) Immoral traffic (Prev) Act
8) Indian Rlys Act
9) Registration of foreigners Act
10) Protecting of Civil Rights Act
11) Indian Passport Act
    a) Against SC'S
    b) Against ST'S
12) Essential Commodities Act
13) TADA
14) Antiquity & Art Treasure Act
15) Dowry prohibition Act
16) Child Marriage Restraint Act
### Appendix

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<th>No.</th>
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<td>Hurt/Grievous Hurt</td>
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<td>24</td>
<td>Total cog. Crimes (IPC)</td>
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[Source: Crimes in Maharashtra CID MS Pune]
Appendix M

(Abridged - major provisions)


An act to consolidate and amend the law related to juveniles in conflict with law and children in need of care and protection by providing for proper care, protection and treatment by catering, to their development needs and by adopting a child friendly approach in the adjudication and disposition of matters in the best interest of children and for their ultimate rehabilitation and for matters connected therewith or incidental thereto.

S 2 Definitions

(b) **Begging**: means i) soliciting / receiving alms in a public place or entering into any private premises for the purpose of soliciting or receiving alms,

ii) Expositing / exhibiting with the object of obtaining or extorting alms, any sole wound, injury, deformity or diseases whether of himself or of any other person or of an animal.

(c) **Board**: Juvenile Justice Board Constituted u/s 4.

(d) **Child in need of care and protection**: a child

i) Who is found without any home or settled place or abode and without any ostensible means of substance (ia) who is found begging or who is either a street child or a working child

ii) who resides with a person (whether a guardian of a child or not) and such person a) has threatened to kill or injure the child and there is a reasonable likelihood of the threat being carried out or
b) has killed abused a neglected some other child or children and there is a reasonable likelihood of the child in question being killed abused or neglected by that person

iii) who is mentally / physically challenged or ill child or children suffering from terminal diseases or incurable diseases having no one to support or look after.

iv) who has a parent guardian and he is unfit or incapacitated to exercise control over the child.

v) who does not have parent and no one is willing to take care of or whose parents have abandoned him or who is missing and runaway child whose parents can not be found after reasonable inquiry.

vi) who is being or is likely to be grossly abused, tortured or exploited for the purpose of sexual abuse or illegal acts.

vii) who is found vulnerable and is likely to be induced into drug abuse / trafficking.

viii) who is being or is likely to be abused for uncousscienable gains.

ix) who is victim of any arm conflict, civil commotion or natural calamity.

e) Children Home :- any institution estd by State Govt. / Voluntary organisations and certified by Govt.

g) Competent Authority :- Committee and Board

h) Fit Institution :- Governmental / registered NGO / Voluntary organisation prepared to own the responsibility of a child and the institution is fit in the eye of Govt.

l) Fit Person :- A person, being a social worker or any other person who is
prepared to own the responsibility of a child and is found fit by the competent authority to receive and take care of the child.

**k) Juvenile or Child :-** a person who has not completed 18 yrs. of age.

**l) Juvenile in conflict with law :-** a juvenile who is alleged to have committed an offence and has not completed 18 years of age as on the date of commission of such offence.

**o) Observation Home :-** a home established by a state govt. or by a voluntary organisation and certified by that state govt. u/s 8 as on observation Home for juvenile in conflict with law.

**u) Shelter Home :-** a home/a drop in centre set up u/s 37.

**v) Special Home :-** institution established by a state govt./voluntary organisation set up u/s 9.

**w) Special Juvenile Police Unit :-** A unit of the police force of as state govt. set up u/s 63.

**S. 3 Continuation of inquiry in respect of Juvenile** who has cared to be a juvenile - Pending inquiry if juvenile ceses to be a juvenile (after reaching 18 yrs.) his inquiry be continued and orders be made as if he is juvenile.

**Chapter II Juvenile in Conflict with Law**

**S. 4 Juvenile Justice Board** - For every district state govt. may constitute J.J. Board one or more constitution -

1. Metropolitan magistrate/Judicial magistrate first class (JMFC)  
   + 2 social workers (1 lady) Total : 3 (Three)  
   educational qualification - Special knowledge in child psychology to principal magistrate + 7 yrs. activity related to healt, education or welfare essential for members.
Appendix

S. 5 Procedure in relation to Board

A child in conflict with law may be produced before an individual member of the Board when Board Sitting. At the time of final disposal of case principal magistrate and one member is required.

S. 6 Power of J. J. Board

Power to deal with an proceedings under this act relating to Juvenile in conflict with law.

S. 7 Procedure to be followed by a Magistrate not empowered undr the Act

He should forward the child or J in conflict to competent Authority and then C.A. will held the inquiry as if the Juvenile child had originally been brought before him.

S. 8 Observation Homes

Any State Govt. may establish and maintain either by itself or under an agreement with voluntary Organisations, observation Homes in every district / group of districts as may be required for the temporary reception of any Juvenile in conflict with law during the pendency of any inquiry regarding them under this act.

State Govt. may certify any institution as Observation Home. If Govt. feels fit for the purpose i.e. temporary reception any Juvenile in conflict with law.

Every Juvenile who is not placed under the charge of parent / guardian and is sent to an observation Home shall be initially kept in a reception unit of the observation Home for preliminary inquiries. Care and classification for Juvenile according to his age group ( 7 to 12, 12 to 16, 16 to 18 ) giving considerations to physical and mental status and the degree of the offence committed for further induction into observation Home.
S. 9 Special Homes

State Govt. may establish or under an agreement with voluntary organisation special Homes in every / group of distinct(s) for reception and rehabilitation of Juvenile in conflict with the law.

S. 10 Apprehension of Juvenile in conflict with law

As soon as a Juvenile is approched by police he shall be placed under the charge of the special juvenile police unit of the designated police officer who shall produce him before the board within 24 hrs (In no case he shall be placed in police lockup or in jail).

S. 11 Control of Custodian over Juvenile

Any person in whose charge a J is placed while the order is in force have the control over the J. as if he is father/mother and shall be responsible for his maintenance and the J. shall continue in his charge for a period stated by competent authority not with standings that he is claimed by his parents/any other person.

S. 12 Bail of Juvenile

When any person accused of a bailable/nonbailable offence and apparently a juvenile is arrested/detained/appears/is brought before a board such person be released on bail or placed under the supervision of probation officer or under the care of any fit institution or person but he shall not be so released is likely to bring him into the association with any known criminal or expose him to moral, physical, psychological danger. If he is not released on bail by the P.O. such police officer shall keep him in observation home until he is brought before board. If Board is not willing him to relee on bail, instead of prison he will be kept in observation home under the pendency of inquiry.
**S. 13 Information to parent/guardian or probation officer**

Where a juvenile is arrested the P.O. or the spl. juvenile police unit to which the juvenile is brought after arrest inform -

(i) parent/guardian of J. and direct him to be present at the Board before which J. will appear & (ii) the probation other to enable him to obtain information regarding family background of the juvenile to pass it to the board.

**S. 14 Inquiry by Board regarding juvenile**

The board shall hold the inquiry and will make an order max. within 16 weeks (4 months).

**S. 15 Order that may be passed regarding Juvenile**

The Board may after inquiry -

(i) allow the juvenile to go home after advice/admosition following appropriate inquiry against and counselling to the parent/guardian and the juvenile.

(ii) direct the juvenile to participate in group counselling and similar activities.

(iii) Order the juvenile to perform community service.

(iv) order the parent of the juvenile or juvenile himself to pay a fine if he is over 14 yrs of age and earns money.

(v) direct the juvenile to be released on probation of good conduct and placed under the care of any parent, guardian or other fit person on such parent, guardian or other fit person executing a bond with/without surety as the bond may require for the good behaviour and well being of the juvenile for period less than 3 yrs.

(vi) direct the juvenile to be released on probation of good conduct and
placed under the care of any fit institution for the good behaviour and well being of the J. for less than 3 yrs. period.

(vii) make an order directing the juvenile to be sent to a special home for a period of three years.

provided that the Board may if it is satisfied that having regard to the nature of the offence and the circumstances of the case it is expedient so to do, for reasons to be recorded reduce the period of stay to such period as it thinks fit.

The Board shall receive the social investigation report of J. from probation officer when J. is on probation (as mentioned in v & vi above) the Board may keep him under the supervision of a probation officer for less than 3 yrs. period.

Provided that if at any time afterwards it appears to the board on receiving a report from the probation officer or otherwise that the juvenile in conflict with law has not been of good behaviour during the period of supervision or that the fit institution under whose care the J. was placed is no longer able/willing to ensure the good behaviour and well being of the J. board will send him to a special home.

While issuing the supervision order to the juvenile, parent, guardian, fit person(s), institutions, sureties, probation officer etc. the Board will give all term and conditions and furnish one copy to each of the concern persons.

**S. 16 Order that may not be passed against juvenile**

No juvenile in conflict with law, shall be sentenced to death/any term upto life imprisonment/committed to prison in default of payment of fine or in default of furnishing security. The juvenile above 16 yrs. if committed serious
offence and if kept him in special Home his behaviour may spoil other fellow J. the Board may pass the order to place him to safety place as it thinks fit and report the case to state govt. State Govt. may order such juvenile to be kept under protective custody and the period of detention so ordered shall not exceed the maximum period provided under S 15 of this act.

**S. 18 No joint proceeding of juvenile and person not a juvenile**

No juvenile shall be charged with/tried for any offence together with a person who is not a juvenile.

**S. 21 Prohibition of publication of name etc. of Juvenile in conflict with law or child in need of care and protection involved in any proceeding under the Act.**

No report of any J. be made in news paper etc. disclosing the name, address school or of the J. photograph of J. be not published if for the benefit of such J. The disclosure is necessary then the Board will permit in writing.

**S. 22 Provision in respect of escaped juvenile**

Any police officer may take charge without warrant of a juvenile in conflict with law who has escaped from a special home/observation Home/fit person shall be sent back to special Home/ Observation Home/fit person etc. and no proceeding shall be instituted in respect of J. by reason of such escape but report of his escape and return be given to Board and get further orders from the Board.

**S. 23 Punishment for cruelty to juvenile/child**

Whoever, having the actual charge of or control over a juvenile or the child assaults, abundous exposes or willfully neglects the juvenile or causes or procures him to be assaulted, abandans, exposed or neglected in a manner
likely to cause such juvenile or the child unnecessary mental or physical suffering shall be punishable 6 months, fine or both.

**S. 24 Employment of Juvenile/child for begging**

Whoever employes juvenile/child to beg punishable 3 yrs + fine and whoever is in actual charge/control over a juvenile/child abets in begging 1 year and fine.

**S. 25 Penalty for giving intoxications liquor or narcotic drug or psychotropic substance to juvenile or child** - 2 years fine.

**S. 26 Exploitation of juvenile or child employee**

Whoever ostensibly procures a juvenile/child for the purpose of any hazardous employment keeps him in bondage and withholds his earnings or uses such earning for his own purposes shall be punished 3 yrs./fine/both.

**Ch. III Child in Need of Care and Protection**

**S. 29 Child Welfare Committee**

For every district, State Govt. may constitute " Child Welfare Committee in relation to child in need of care and protection.

Chairman plus four other members (Total 5) one of them is woman and another child expert committee shall function as a Bench of Magistrate Cr.P.C. power of metropolitan or JMFC.

**S. 30 Procedure of Committee**

Child in need of care and protection amy be produced before an individual member when committee is not in session.

**S. 31 Power of Committee**

The committee shall have the final authority to dispose of cases for the care, protection, treatment, development and rehabilitation of the child and to provide for their basic needs and protection of Human Rights.
**S. 32 Production before committee**

Any child in need of care and protection may be produced before the committee within 24 hours, by any one

(i) any police officer / Spl. juvenile police unit / a designated police officer

(ii) any public servant

(iii) Childline, a regd. voluntary organisation or any recognised agency.

(iv) any social worker or a public spirited citizen or

(v) by the child himself.

The state Govt. may make rules to provide for the manner of making the report to the police and to the committee and the manner of sending and entrusting the child to children's home pending the inquiry.

**S. 33 Inquiry**

After receiving report (as per S 32) the inquiry will be held and child will be sent to the children's home for speedy inquiry by a social worker/child welfare officer. This inquiry be completed within 4 months.

After the completion of the inquiry if the committee is of the opinion that the said child has no family/obstansible support, it may allow the child to remain in the children's flame/shelter home till suitable rehabilitation is found or till 18 yrs.

**S. 34 Children's Home**

State Govt. vol. org/may establish children's home for the reception of child in need of care and protection during the pendency of any inquiry and subsequently for their care, treatment, education, training, development and rehabilitation.
S. 35 Inspection: State Govt. may appoint inspection committee for the children Home

S. 37 Shelter Home

1) The state govt. may recognise reputed and capalde voluntary organisations and provide them assistance to set up and administer as many shelter homes for children or juveniles as may be required. These shelter homes shall function as drop-in-centres for the children in the need of urgent support who have been brought to such homes by person as are referred to in S. 32(1)

S. 38 Transfer

If during the inquiry it is found that the child hails from the place outside the jurisdiction of the committee, the committee shall order the transfer of the child to the competent authority having jurisdiction over the place of residence of the child.

S. 39 Restoration

Restoration of and protection to a child shall be the prime objective of any children's home or the shelter home. The committee shall have the powers to restore any child in need of care and protection to his parent, guardian, fit person or fit institution as the case may be and give them suitable directions (Restoration of the child means restoration to - (a) Parents (b) Adopted parents (c) Foster parents (d) guardian (e) fit person (f) fit institution.

Chapter IV Rehabilitation & Social Reintegration

S. 40 Process of Rehabilitation and Social Reintegration

The rehabilitation and social reintegration of a child shall begin during the stay of the child in a children's home or special home and the rehabilitation and social reintegration of children shall be carried out
alternatively by - (i) Adoption (ii) Foster care (iii) Sponsorship and (iv) Sending the child to an after-care organisation.

**S. 41 Adoption**

1) The primary responsibility for providing care and protection to the children shall be that of his family.

2) Adoption shall be resorted to for the rehabilitation of such children as are orphaned, abandoned, neglected and abused through institutional and noninstitutional methods.

3) The board shall be empowered to give children in adoption and carry out required investigation.

5) No child shall be offered for adoption -

   (a) Until 2 members of the committee declare the child legally free for placement in the case of abandoned children.

   (b) till the 2 months period for reconsideration by the parent is over in case of surrendered children &

   (c) Without his consent in case of a child who can understand & express his consent.

6) The board may allow a child to be given in adoption - (a) to a single parent & (b) to parents to adopt a child of same sex irrespective of the number of biological sons or daughters.

**S. 42 Foster Care**

(1) The foster care may be used for temporary placement of those infants who are ultimately to be given for adoption, (ii) In foster care, child may be placed for a short or extended, period of time depending upon the circumstances where the child's own parent usually visit regularly and eventually after the rehabilitation where the children may return to their own homes.
S. 43 Sponsorship

The sponsorship programme may provide supplementary support to families to children's homes and to special homes to meet medical, nutritional educational and other needs of the children with a view to improve quality of their life. Sponsorship can be either - (i) Individual sponsorship (ii) Group sponsorship and (iii) Community sponsorship.

S. 44 After Care Organisation

The state Govt. may provide -

(a) for the establishment/recognition of after care organisations and the functions that may be performed by them under this act.

(b) for a scheme of after care programme to be followed by such after care organisation for the purpose of taking care of juveniles or the children after they leave special homes, children homes and for the purpose of enabling them to lead an honest industrious and useful life.

(c) for a preparation/submission of a report by the probation officer/any other officer appointed by the Govt. in respect of each juvenile or the child prior to his discharge from a special home, childrens home regarding the necessity and nature of after care of such juvenile or of a child, the period of such after care, supervision thereof and for the submission of report by the probation officer or any other officer appointed for the purpose on the progress of each juvenile/child.

(d) for the standards and the nature of services to be maintained by such after care organisations.

A juvenile/child ovr 17 yrs. but less than 18 yrs. of age would stay in the aftercare organisation till he attains 20 yrs. age.
Appendix

S. 45 Linkages and Coordination.

Chapter V Miscellaneous

S. 46 Attendance of parent/guardian/child ::- at the time of inquiry.

S. 47 Dispensing with attendance of juvenile/child ::- If attendance is not necessary, CA may excuse him.

S. 48 Commital to approved place of juvenile child suffering from dangerous deseases.

S. 49 Presumption and determination of age.

S. 50 Sending a juvenile/child outside jurisdiction.

S. 51 Reports to be treated as confidential ::- Reports of probation officers made to CA are confidential.

S. 52 Appeals ::- Appeal on CA's order lies with court of session, no second appeal.

S. 53 Revision ::- High court has power to call when the matter decided by CA or court of session.

S. 54 Procedure in inquiries, appeals and revision proceedings.

S. 55 Power to amend orders.

S. 56 Power of CA to discharge and transfer juvenile/child.

S. 57 Transfer between childrens home and juvenile homes of like nature in different parts of India.

S. 58 Transfer of j/child of unsound mind/suffering from leprosy or addicted to drugs.

S. 59 Release and absence of juvenile/child on placement

When a juvenile/child is kept in a childrens Home or special home and on a report of a probation officer/social worker etc the C.A. may consider
his release and permitting him to live with his parent/guardian or under supervision of any authorised person willing to receive and take charge of the juvenile/child to educate him for some useful trade or for his rehabilitation.

The C.A. may also permit leave of absence to any juvenile/child to allow him on special occasions like examination, marriage of relatives, death of kith and kin or the accident or serious illness of parent or any emergency of like nature to go on leave under supervision for a period generally not exceeding seven days excluding the time taken in journey.

When the permission has been revoked or forfeited and he refuses or fails to return to the home concerned to which he was directed so to return the Board may if necessary cause him to be taken charge of and to be taken back to the concerned home.

S. 60 Contribution by parents

S. 61 Fund

S. 62 Central, State, District and City Advisory Boards.


S. 63 Special Juvenile Police Unit.

S. 64 J. in conflict with law undergoing sentence at commencement of this Act.

S. 65 Procedure in respect of bonds.

S. 66 Delegation of power.

S. 67 Protection of Action taken in good faith.

S. 68 Powers to make rules.

S. 69 Repeal and savings.

S. 70 Power to remove difficulties.

Abbreviation (J = Juvenile, CA = Competent Authority)
Appendix N

National Charter for Children, 2003

*(G.R. No. 6-15/98 C.W. dt. 09/02/2004 issued by Ministry of H.R.D.)*

The Government of India have had for consideration the question of adopting a National charter for children, to reiterate its commitment to the cause of the children in order to see that no child remains hungry, illiterate or sick. After the consideration, it has been decided to adopt the National charter for children as enunciated below.

Whereas the constitution of India enshrines both in parts III and IV the cause and the best interest of children in so far that:-

The state can make special provisions for children (Art 15(3)) The state shall provide free and compulsory education to all children of the age of six to fourteen years (Art. 21A). No child below the age of 14 years shall be employed to work in a factory, mine or any other hazardous employment (Art. 24). The tender age of children is not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength (Art. 39e) and that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that youth are protected against exploitation and against moral and material abandonment (Art. 39f).

The state shall endeavour to provide early childhood care and education for all children until they complete the age of six years (Art. 45).

Whereas through the National policy for children 1974, we are committed to providing for adequate services to children, both, before and after birth and throughout the period of growth to ensure their full physical, mental and social development.
Where as, we affirm that the best interest of the children must be protected through combined action of the state, society, communities and families in their obligations in fulfilling children's basic needs -

Whereas we also affirm that while state, society, community and family have obligations towards children, these must be viewed in the context of intrinsic and attendant duties of children and including in children a sound sense of values directed towards preserving and strengthening the family, society and Nation.

And whereas we believe that by respecting the child, society is respecting itself.

Now therefore, in accordance with our pledge in the National Agenda of Governance the following National charter for children, 2003 is announced.

Underlying this charter is our intend to secure for every child its inherent right to be a child and enjoy a healthy and happy childhood, to address the root causes that negate the healthy growth and development of children and to awaken the conscience of the community in the wider societal context to protect children from all forms of abuse, while strengthening the family, society and the Nation.

1. **Survival, life and liberty** - (a) The state and community shall undertake all possible measures to ensure and protect the survival, life and liberty of all children. (b) In particular, the state and community will undertake all appropriate measures to address the problems of infanticide and foeticide, especially of female child and all other emerging manifestations that deprive the girl child of her right to survive with dignity.

2. **Promoting high standards of health and nutrition** - (a) The state
shall take measures to ensure that all children enjoy the highest attainable standards of health and provide for preventive and curative facilities at all levels especially immunisation and prevention of micronutrient deficiencies for all children. (b) The state shall take measures to cover under primary health facilities and specialised care and treatment, all children of families below the poverty line. (c) The state shall take measures to provide adequate prenatal and postnatal care for mothers along with immunisation against preventable diseases. (d) The state shall undertake measures to provide for a national plan that will ensure that the mental health of all children from all practices that are likely to harm the child's physical and mental health.

3. The state shall take steps to provide all children from families below the poverty line with adequate supplementary nutrition and undertake adequate measures for ensuring access of safe drinking water and environmental sanitation and hygiene.

4. Assuring basic minimum needs and security - (a) The state recognises that the basic minimum needs of every child must be met that foster full development of the child's faculties. (b) In order to ensure this, the state shall in partnership with the community provide social security for children, especially for abandoned children and street children. (c) State and community shall try and remove the fundamental causes which result in abandoned children and children living on streets and provide infrastructure and material support by way of shelter, education, nutrition and recreation.

5. Play and leisure - The state and community shall recognise that all children require adequate play and leisure for their healthy development and must ensure means to provide for recreational facilities and services for children of all ages and social groups.
6. Early childhood care for survival, growth and development - (a) The state shall in partnership with the community provide early childhood care for all children and encourage programmes which will stimulate and develop their physical and cognitive capacities. (b) The state shall in partnership with the community aim to providing a child care centre in every village where infants and children of working mothers can be adequately cared for. (c) The state will make to provide these facilities to children from SCs/STs and marginalised sections of society.

7. Free and compulsory primary education - (a) The state recognises that all children shall have access to free and compulsory education. Education at the elementary level shall be provided free of cost and special incentives should be provided to ensure that children from disadvantaged social groups are enrolled, retained and participate in schooling. (b) At the secondary level, the state shall provide access to education for all and provide supportive facilities for the disadvantaged groups. (c) The state shall in partnership with the community ensure that all the educational institutions function efficiently and are able to reach universal enrolment, universal retention, universal participation and universal achievement. (d) The state and community recognises that a child be educated in its mother tongue (e) the state shall ensure that education is child oriented and meaningful. It shall also take appropriate measures to ensure that education is sensitive to the healthy development of the girl child and to children of varied cultural backgrounds. (f) The state shall ensure that school discipline and matters related thereto do not result in physical, mental, psychological harm or trauma to the child. (g) The state shall formulate special programmes to spot identity, encourage and
assist the gifted children for their development in the field of their excellence.

8. **Protection from economic exploitation and all forms of abuse** -
(a) The state shall provide protection to children from economic exploitation and from performing tasks that are hazardous to their wellbeing. (b) The state shall ensure that there is appropriate regulation of conditions of work in occupations and processes where children perform work of a nonhazardous nature and that their rights are protected. (c) The state shall move towards a total ban of all forms of child labour.

9. (a) *All children have a right* to be protected against neglect, maltreatment, injury, trafficking, sexual and physical abuse of all kinds, corporal punishment, torture, exploitation, violence and degrading treatment.
   
   (b) *The state shall* take legal action against those committing such violations against children even if they be legal guardians of such children.

   (c) The state shall in partnership with the community set up mechanisms for identification, reporting, referral, investigation and follow up of such acts, while respecting the dignity and privacy of the child.

   (d) The state shall in partnership with the community take up steps to draw up plans for the identification, care, protection, counselling and rehabilitation of child victims and ensure that they are able to recover, physically, socially and psychologically and reintegrate into society.

10. (a) The state shall take strict measures to ensure that children are not used in the conduct of any illegal activity, namely, trafficking of narcotic drugs and psychotropic substances begging, prostitution, pornography or vidence. The state in partnership with the community shall ensure that such
Appendix

children are rescued and immediately placed under appropriate care and protection.

(b) The state and community shall ensure protection of children in distress for their welfare and all round development.

(c) The state and community shall ensure protection of children during the occurrence of natural calamities in their best interest.

11. Protection of the girl child - (a) The state and community shall ensure that crimes and atrocities committed against the girl child, including child marriage, discriminatory practices, forcing girls into prostitution and trafficking are speedily eradicated. (b) The state shall in partnership with the community undertake measures including social, educational and legal to ensure that there is greater respect for the girl child in the family and society. (c) The state shall take serious measures including social, educational and legal to ensure that there is greater respect for the girl child in the family and society. (c) The state shall take serious measures to ensure that the practice of child marriage is speedily abolished.

12. Empowering adolescents - The state and community shall take all steps to provide the necessary education and skills to adolescent children so as to equip them to become economically productive citizens. Special programmes will be undertaken to improve the health and nutritional status of the adolescent girl.

13. Equality, freedom of expression, freedom to seek and receive information, freedom of association and peaceful assembly - The state and community shall ensure that all children are treated equally without discrimination on grounds of the child's or the child's parents or legal guardian's
race, color, caste, sex, language, religion, political or other opinion, national, ethnic or social origin, birth, disability, political status or any other consideration.

14. **All children shall be** given every opportunity for all round development of their personality, including expression of creativity.

15. (a) **Every child shall have** the freedom to seek and receive information and ideas. The state and community shall provide opportunities for the child to access information that will contribute to the child's development.

(b) The state and community shall undertake special measures to ensure that the linguistic needs of children are taken care of and encourage the production and dissemination of child-friendly information and material in various forms.

(c) The state and community shall be responsible for formulating guidelines for the mass media in order to ensure that children are protected from material injuries to their well being.

16. **All children shall enjoy** freedom of association and peaceful assembly, subject to reasonable restrictions and in conformity with social and family values.

17. **Strengthening family** - (a) Every child has a right to a family, in case of separation of children from their families. The state shall ensure that priority is given to re-unifying the child with its parents, in cases where the state perceives the adverse impact of such a re-unification. The state shall make alternate arrangements immediately, keeping in mind the best interests and the views of the child. (b) **All children have a right to maintain contact**
with their families, even when they are within the custody of the state for various reasons. (c) The state shall undertake measures to ensure that children without families are either placed for adoption, preferably intra-country adoption or foster care or any other family substitute services. (d) The state shall ensure that appropriate rules with respect to the implementation of such services are drafted in a manner that are in the best interest of the child and that regulatory bodies are set up to ensure the strict enforcement of these rules. (e) All children shall have the right to meet their parents and other family members who may be in custody.

18. Responsibilities of both parents - The state recognises the common responsibilities of both parents in rearing their children.

19. Protection of children with disabilities - (a) The state and community recognise that all children with disabilities must be helped to lead a full life with dignity and respect. All measures would be undertaken to ensure that children with disabilities are encouraged to be integrated into the mainstream society and actively participate in all walks of life. (b) The state and community shall also provide for their education, training, health care, rehabilitation, recreation in a manner that will contribute to their overall growth and development. (c) The state and community shall launch preventive programmes against disabilities and early detection of disabilities so as to ensure that the families with disabled children receive adequate support and assistance in bringing up their children. (d) The state shall encourage research and development in the field of prevention, treatment and rehabilitation of various forms of disabilities.

20. Care, protection, welfare of children of marginalised and
disadvantaged communities - The state and community shall provide care, protection and ensure the welfare of children from marginalised and disadvantaged communities, support them in preserving their identity and encourage them to adopt practices that promote their best interest.

21. The state recognises that children from disadvantaged communities and weaker or vulnerable section of the society are in need of special intervention and support in all matters pertaining to education, health recreation and supportive services. It shall make adequate provisions for providing such groups with special attention in all its policies and programmes.

22. Ensuring child friendly procedure - All matters and procedures relating to children viz. judicial, administrative, educational on social should be child friendly. All procedures laid down under the juvenile justice system for children in conflict with law and for children in need of special care and protection shall also be child friendly.
Appendix

Appendix O

MODEL RULES, 2007

"The Juvenile Justice (Care and Protection of children) Rules, 2007"
(Noti. No. GSR 679 (E) dt. 26/10/2007 pub. in the Gaz. of India Ext. No. 472 Pt. II S. 3(i) dt. 26/10/2007)

Whereas the constitution has in several provisions, including clause (3) of Art. 15, Art 21, Art 21-A, clauses (1) and (2) of Art. 22, Art. 23 and 24, Cl. (e) and (f) of Art. 39, Art, 39(A), Art. 45 & 47 and Art 51A(K) impose on the state a primary responsibility of ensuring that all the needs of children are met and that their basic rights are fully protected.

And whereas, the convention on the Rights of the child adopted by the Gen. Ass of the U.N. on 20 Nov. 1989 and ratified by India on 11 Dec. 1992, emphasizes conferment of rights on children and reintegration of juvenile and care and protection of vulnerable children with a view to furthering their right to survival, development, protection and participation.

And whereas, the U.N. standard Minimum rules for the administration of juvenile justice, 1985 (The Beijing rules) and the U.N. rules for the protection of juveniles deprived of their liberty (1990) set the minimum standard to be adhered to in the administration of juvenile justice in respect of juveniles in conflict with law.

And whereas, the U.N. guidelines for the prevention of juvenile delinquency (Riyadh Guidelines) and all other relevant international instruments focus on the prevention of juvenile delinquency and provide guide lines for it.

And whereas to give effect to the provisions of the constitution and
relevant international instruments the Juvenile Justice (Care and Protection of Children) Act, 2000 (56 of 2000) as amended by the Juvenile Justice (Care and Protection of Children) Amendment Act, 2000 (33 of 2006) was enacted to consolidate and amend the law relating to juveniles in conflict with law and children in need of care and protection by providing for proper care, protection and treatment by catering to their developmental needs and by adopting a child friendly approach in the adjudication and disposition of matters in the best interest of children and for their ultimate rehabilitation and for matters connected therewith or incidental thereto through institutional as well as non-institutional measures enumerated under the said Act.

Now therefore with a view to provide for better implementation and administration of the provisions of the said act in its true spirit and substance the Central Govt. in pursuance of the above said provisions and in exercise of the powers conferred by the proviso to rule section (1) of S 68 of the juvenile justice (care and protection of children) Act 2000 (56 of 2000) hereby makes the following rules and lays down the instrumental principles to be applied in administration of juvenile justice namely.

**Chapter I Preliminary**

1. **Short title and commencement** - (1) These rules may be called the juvenile justice care and protection of childrens Rules 2007. (2) ......

2. **Definition.**

**Chapter II Fundamental Principles of Juvenile Justice and Protection of children**

3. **Fundamental principles to be followed in administration of these rules** - Principle of - (I) presumption of innocence (II) dignity and worth (III) right to
be heard (IV) best interest (V) family responsibility (VI) safety (no harm, no abuse, no neglect, no exploitation and no maltreatment) (VII) Positive measures (VIII) nonstigmatising semantics, decisions and actions (IX) non waiver of rights (X) equality and non discrimination (XI) right to privacy and confidentiality (XII) last resort (XIII) repatriation and restoration (XIV) fresh start.

Chapter III Juvenile in Conflict with law

(4) Juvenile justice Boards (5) composition of J.J. Board (6) Tenure of the Board (7) Qualification for the members of the Board (8) sitting and conveyance allowanses (9) sittings of the Board (10) functions of the Board (11) Pre and post production action of police and other agencies (12) Procedure to be followed in determination of age (13) Post production processes by the board (14) Legal Aid (15) Completion of inquiry and disposition alternatives (16) Institution for juveniles in conflict with law (17) Release (18) Procedure to be followed in respect of Ss 21, 22, 23, 24, 25 and 26 of the act.

Chapter IV Child in need of Care and Protection

(19) Child welfare Committee (20) Composition of the child welfare committee (21) Tenure of the committee (22) Qualifications for chairperson and members of the committee (23) Sitting and conveyance allowances (24) Sitting of the committee (25) Function and powers of the committee (26) Procedure in relation to the committee (27) Production of a child before the committee (28) Procedure for inquiry (29) Children's Homes (30) shelter homes (31) Guidelines for prevention of sexual abuse of children.

Chapter V Rehabilitation and Social Reintegration

(32) Rehabilitation and social reintegration (33) Adoption (34) Foster
care (35) Criteria for selection of families for foster care (36) Pre-adoption foster care (37) Sponsorship (38) After care organisation (39) Linkages and coordination.

**Chapter VI Standards for Care for institutions**

(40) Physical infrastructure - (a) Observation home (b) Special home (c) Children's Home (d) Shelter home (41) Clothing and bedding (42) Sanitation and hygiene (43) Daily routine (44) Nutritian and diet scale (45) Medical care (46) Mental health (47) Education (48) Vocational training (49) Recreation facilities (50) Institutional management of juveniles or children (51) Prohibited articles (52) Articles found on search and inspection (53) Disposal of articles (54) Maintenance of case file (55) Management committee (56) Children's committees (57) Rewards and earnings (58) Visits to and communication with juveniles or children (59) Death of a juvenile or child (60) Abuse and exploitation of the juvenile/child (61) Juvenile or child suffering from dangerous diseases or mental health problems (62) Leave of absence of a juvenile or child (63) Inspection (64) Social audit (65) Restoration and follow up (66) Visitor's Prook (67) Maintenance of registers (68) Personnel or staff of a home.

**Chapter VII Miscellaneous**

(69) Recognition of fit persons/fit institution (70) Certification or recognition and transfer of management of institutions and after care organisations (71) Registration under the act (72) Grant in aid to certified or recognised organisation (73) Admission of outsiders (74) Identity photos (75) Police officers to be in plain clothes (76) Prohibition on the use of Handcuffs and fetters (77) Procedure to be followed by a Magistrate not empowered under the act (78) Transfer (79) Procedure for sending a juvenile/
child outside the jurisdiction of C.A. (80) State child protection unit (81) District child protection unit (82) Setting of the child welfare committee (83) Setting up of J.J. Board (84) Special juvenile police unit (85) Duties of officer in charge of an institution (87) Duties of the probation officer or child welfare officer or case worker (88) Duties of House father or House mother (89) Disqualification of officer in charge..... (90) Training of personnel (91) Selection committee and its composition (92) Functions of the selection committee (93) Advisory Boards (94) Openness and transparency (95) Juvenile justice fund (96) Application of these rules (97) Pending cases (98) Disposed of cases of juveniles in conflict with law (99) Disposal of records or documents (100) Repeal.

Schedules

I. Clothing, bedding, toiletries and other articles (Rule 41).

II. Nutrition and diet scale (Rule 44).

Forms

(I) Supervision order (II) Rule 13(11)(d) (III) Order to social investigation or inquiry (IV) Social investigation report - family, Juveniles History, Result of inquiry (V) Undertaking/Bond to be executed by a parent/guardian/relative/fit person in whose care a juvenile is placed (VI) Personal Bond by Juvenile/child (VII) Discharge order (VIII) Supervision order (IX) Undertaking by the parent or fit person to whom child is restored (X) Order of short term placement pending inquiry (XI) Order of restoration of a child to an institution (XII) Order for enquiry (XIII) Format for inquiry report (XIV) Order for declaring child legally free for adoption (XV) Deed of surrender (XVI) [Rule 35(3)] - (A) foster cares' assessment (B) Home study
Appendix

Report (C) Details of applicants (XVII) Order for foster care placement (XVIII) Order sponsorship placement. (XIX) Order for after care placement (XX) Case history form for children in need of care and protection - (A) Personal data (B) Childhood history (upto age of 12 years) (C) Family details (D) Adolescence history (Between 12 & 18 years) (E) Employment details (F) Educational details (G) Medical history (H) Social hiosotry (I) History and the chid (GIST) (XXI) Individual care plan - (A) Personnal details (B) Fortnightly progress report of probationer (C) Pre-release report (D) Post release report (XXII) Escort order.
Appendix P

Details of Pending cases before Juvenile Justice Board - Kolhapur

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Month Year</th>
<th>Sex M/F</th>
<th>Age in yrs.</th>
<th>Residence Place/Tal.</th>
<th>Charge Head with Sec. No. IPC/SLL</th>
<th>Other Information</th>
<th>Remark</th>
</tr>
</thead>
</table>
Appendix Q

मुलाखत दिनांक: / / २००९
केस क्रमांक: .............

निरीक्षण गुह

अ) सर्वसाधारण माहिति

१) नाव (पूर्ण) .................................................. वय ___ वर्ष लिंग - स्त्री/पुरुष

२) सतीरचना — उंची - उंच/मध्यम/चुटका, डोंठे (रंग) — ओट - जाड, पातख बांधा -\

रंग - __________ इतर - __________ जन्मतारीख : __________

ब) कुटुंब

..............................................................

३) पता

..............................................................

अ) या गांवी किती वर्ष राहतो?

ब) आई

नाव - __________ व्यवसाय - __________ आई आहे? हयात __________

क) वडील

नाव - __________ व्यवसाय - __________ हयात __________

ड) भाऊ किती? वय?

संख्या __________ वय - __________ शिक्षण __________

ढ) भाऊणी किती? वय?

संख्या __________ वय - __________ शिक्षण __________

ई) इतर किती माणसे घरात ______ आजी/आजोबा ______ एकूण माणसे (घरात) - __________

ग) तुजा भांडणांत कितंता नंबर __________

ह) भांडणांतच घरात भांड्यास?

(१) भांडणांतच कारण - ..............................................................

(२) आई वडील आपसात भांड्यात?

(३) कारण - ..............................................................

(४) तुला घरातील कोण सर्वां जास्त आवडते? का?

(५) तुला घरातील कोण अजिवात आवडत नाही? का?

(६) तू घरातील कोणांचा सर्वां जास्त ‘लाडका’ होतास?

(७) घरात दंगामस्ती करताना तुला घरातील कोण जास्त रागावाचे?

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(8) मग तूं तुझी वाणिज्यक बदलनीस काव्य ?

(9) तुम्हाच्या हरात खोल्या किती ?

(10) सर्वांना राहण्यास पुर्णी जगा आहे ?

(11) तुमचे शेजारी कोण ? शेजार कसा आहे ?

(12) तुझ्या आई/यासो रागीट आहेत ?

(13) यापूर्वी आईबॉडीलांपासून बेंगळा राहिलास काव्य ? केंद्रा ? -

(14) आता आईबॉडीलांची आद्यण येते काव्य ?

(क) शाखा

(1) शाळेंचे नाव ? पता ? कसा जातोस ?

(2) कोणत्या इप्तैत होतास ?

(3) किती मास भित्रलाच ?

(4) दरम्यान पास होतोस काव्य ?

(5) शाळेत रोज जात होतास ?

(6) का जात नव्हतास ?

(7) शिक्षक चांगले/वाईट ?

(इ)मित्र/समूहीण

(1) मित्र कोण ? नावे ? वच -

(2) ते काव्य कसतास ? शाळेत जातात -

(3) कोठे राहतात ?

(4) मित्रांना केल्या भेटाते ?

(5) सर्वांत जवळच मित्र ? नाव ?

वच ? तो कोठे राहतो ?

तोठा का जवळचा ?

(इ) पुस्तक वेळा

(1) तुझी शाळेची वेळ काव्य ?
(2) त्या वेळेच्या व्यवहारात इतर

(3) त्या वेळेच्या घटनास्थळ

(4) सिनेमा पात्रवर्ती?

(5) दौडी पात्रवर्ती?

(6) दौडी/सिनेमाच्या कायाचे विवरण?

(7) आवडलेल नट/नटी?

(8) एकेला/इकेला दिवसी चेक कसा काढलों?

(9) रात्री/संध्याकाळी घरी केवळ पत्ता वेळों?

(फ) काम

(1) तु काम करतो मा का?

(2) कामाचे स्वरूप?

(3) कामाचा पत्ता?

(4) कामाचे तास?

(5) मालक कोण? कसा?

(6) पगार किंती?

(7) काम का सोडलेल?

(8) काम आवडल होते काम?

(9) कामाचे झिकणचे मित्रताची माहिती?

(10) संख्यावर्ती कामाचे पूर्व कोठे कोठे कामे केली?

(11) पाहारातील पैसापेक्षा काही पैसे आई/वढील?

(12) उर्लेबऱ्या पैशाचे काम करतो?

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(g) बालू गुन्हा?

1. तुम इसे का आलास?
2. साध्याचा गुन्हा काय?
3. का कैलास?
4. केंद्र खेलास?
5. इसे कसे बाटू?
6. इसे साध्य काय क्षती?
7. वाच्यापूर्वी केंद्रा केला काय काय गुन्हे केलेस? का हा पहिलाच गुन्हा?
8. तुझे पिंक पात सामील होते?
9. आई/वडीला ना तुम इसे असल्याचे माहीत आहे?
10. ते तुल्य तेघे तेवून भेटले काय?
11. इत्तून सुट्ट्याचार काय कर्णात? कोठे जाशील?

(h) पूर्वित्ताहास

1. वापूरी पहिला गुन्हा केला केलास? यव?
2. त्याची तुझीदारी गुन्हात आई/वडीले/भाचः/वाहण/पिंक/ इतर कोणी होते काय?

(j) संकीर्ण

1. तुला मोळपणी काय ज्यांच्येस बाटते? तुझी काय ज्यांची इच्छा आहे?
2. सुट्ट्याचार शाळास जाशील काय?
3. सुट्ट्याचार कामाचार जातील काय?
4. सुट्ट्याचार घरच्या लोकांच्यात जावून राहणारे काय?
5. इतर सर्व माहिती
### Appendix - R

#### Table of Important Cases

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<td>44</td>
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48) Hussainara Khatoon V/s. Home Secretary, State of Bihar 1979(3) SCR 169


52) InRe A Juvenile (1994) 3 R Cr R 389

53) In Re John AIR 1966 Mad 167

54) In Re Ratha Mal AIR 1962 Mad 51

55) In Re, Session Judge, Kapletta 1995 Cr. L. J. 330 (Ker)


59) Jai Mala V/s. Home Secretary J. K. 1982 Cri. L. J. 1777


63) Jheena V/s. State 1984 Cr. L. J. 1375


65) Jyoti, Shankar V/s. State 1995 Cri. L. J. 3048 (Ori.)


69) Kamlesh V/s. State of M.P. 1994(1) (All) JIC 377
70) Karamdeep Kaur V/s. State of Punjab 1996 JIC 1060 (P & H)
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74) Krishna Lal V/s. State of Rajasthan AIR 1990 SC 2269
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77) Lal Diwan V/s. State 1995 All L.J. 1456
78) Lalit Moham Ghosh V/s. State of Tripura 1999 Cr. L.J. 609
80) Lekh Ram V/s. State of M.P. 1998(1) MPWN 201 (M.P.)
83) Makranda Rana V/s. State of U.P. 1996 JIC 446 (All)
84) Mangulu V/s. Sales Tax Officer AIR 1974 SC 390
86) Mahohar Nathuso Samartha V/s. Marotrao AIR 1979 SC 1084
88) Mata alias Manohar Singh V/s. State of Rajasthan 1996 Cr. L. J. 743
92) Mohandas V/s. State 1996 Cr. L. J. 1412 (Raj.)
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118) Rajesh Khaitan V/s. State of W.B. 1982 Cr. L.J. 877 (Cal)
119) Rajinder Chandra V/s. State of Chhatisgrah 2002 Cr. L.J. 775
121) Raju V/s. State 1996 (33) ACC (H) 44
122) Ramji Missar V/s. State of Bihar 1963 (SC) 1083
123) Ram Karan Lal V/s. Emperor AIR 1916 (Rang) 15
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